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James Round,

from his sincere friend

James Gerard Leigh.

on leaving Eton -

Election 1860.





THE  
FAIRFAX CORRESPONDENCE.



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*J W Cook, sc.*

SIR THOMAS FAIRFAX.

FROM AN ORIGINAL PORTRAIT PAINTED BY GERARD ZOUST, CIRCA 1656

FORMERLY AT LEEDS CASTLE.

THE FAIRFAX CORRESPONDENCE.

---

MEMOIRS OF THE REIGN  
OF  
CHARLES THE FIRST.

EDITED BY  
GEORGE W. JOHNSON, ESQ.,  
Barrister-at-Law.

TWO VOLUMES.

VOL. I.



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# HISTORICAL AND BIOGRAPHICAL MEMOIR

OF

## THE FAIRFAX FAMILY.

---

THE family of the Fairfaxes were seated at Towcester, in Northumberland, at or before the Conquest, and derived their blood from a Saxon stock. The name is of Saxon origin—Fairfax meaning *fair-hair*. In some of the family deeds the name is spelt Fairvex.

Among the MSS. relating to the history of the house, which have been accumulated from generation to generation, and preserved with extraordinary care by successive members of the family, there is a memorandum in the hand-writing of the first Lord Fairfax, in which the line is traced back to the Conquest.\*

\* In a very curious MS. volume, written on vellum, called “*Analecta Fairfaxiana*,” compiled by Mr. Charles Fairfax, uncle of the famous Parliamentary General, and containing an infinite variety of heraldic antiquities, epitaphs, and minute biographical particulars, two exact pedigrees of the family have been preserved—the one in Latin and the other in English—from the close of the twelfth century to the middle of the seventeenth. The labour bestowed upon this volume is almost incredible. The Latin pedigree is drawn up with remarkable fullness and accuracy ; and every descent is separately proved by references to evidences in the Denton Library. The shields and quarterings of the family are exhibited with no inconsiderable skill in pen-and-ink drawings ; and the interest of this volume is enhanced by portraits of the third Lord Fairfax and his

A MEMORANDUM IN THE HANDWRITING OF LORD FAIRFAX  
OF HIS EARLY ANCESTORS FROM THE CONQUEST.

MEMORANDUM.—That at the Conquest of England a certain nobleman, called (Nigellus) Fossard, was possessed of Montefarrant Castle, near Birdshol in the wapentake of Bruews, and divers towns adjoining, and of the Barony of Mulgrave, near Whitby, with appurtenances; and of the lordship and soke of Doncaster, with Wheatley, Sandal, Cauley, Rosington, and other towns thereabout. His heir-general was married to Robart de Turnham, a man highly respected and trusted by King Richard the First, in his wars in the Holy Land, whose daughter and sole heir, Isabel, was, by King John, given in marriage to Peter de Male-lacu, his Esquire, who, in her right, enjoyed all the aforesaid lands. The co-heirs of Male-lacu (commonly called Mauley) was married

lady, by Gerard Zoust; medals of Ferdinando, Lord Fairfax, and his son, the Parliamentary General; seals, &c.

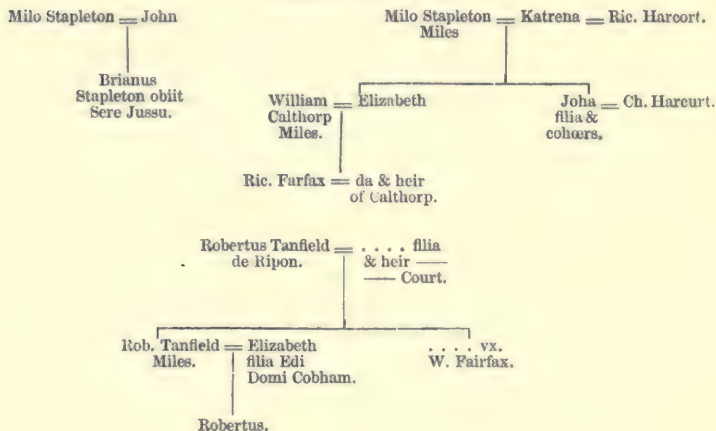
According to the "Analecta," various branches of the Fairfax family were established in different counties—Lincolnshire, Cumberland, Warwickshire, Norfolk, Northampton, and Northumberland—slight lines of pedigrees and relationships being established for each by the indefatigable zeal of Mr. Charles Fairfax. Amongst the memorabilia are preserved the following singular verses, in Latin and English, referring to the Fairfaxes of Warwickshire. They bear the date of 18th October, 1647, and appear to have been composed on the happy occasion of the birth of a grandchild. It seems that this cluster of Fairfaxes lived at Bradford, and that the three generations, with their wives and children, lived under the same roof. We prefer the English version for the sake of its remarkable quaintness:—

— "Fairfax the fourth is born, a gallant boy,  
Father's, grandfather's, great-grandfather's great joy;  
Under one roof these dwelt with their three wives,  
And at one table eat what Heaven gives;  
Our times a sweeter harmony have not known,  
They are six persons, yet their hearts but one;  
And of these six is none hath hitherto  
Known marriage twice, so none designs to do;  
Mate is to mate what dearest dove to dove,  
Even grandsire's wrinkles are top full of love.  
In these three pairs Bradford may justly glory;  
What other place can parallel this story?"

These delectable lines were written by the Rector of Bradford.

to Saluin and Fairfax; but Bigot married Fairfax his widow, to whom she gave all her lands.

## ROBERTUS FAIRFAX.



Nicolas Fairfax temp 7 R. 1.

. . . Fairfax p de xd de firma Camby.

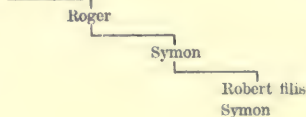
Ebor Ju Th lib et Quietus est 11 Jo.

Thomas Fairfax de Ebor p 35 H. 3

William Fairfax det p Ram pd Rob. de Medleham  
pipe 8 Jo.

Agnes Fairfax & Bego filé ejus 45 H 3.

Peter Fairfax  
temp H. 3



Rog. Dself Cooke

Signed E. E. fol. 4  
28. \*

The Fairfaxes removed at an early period into Lincolnshire to avoid the incursions of the Scotch, and afterwards into Yorkshire, where they finally settled towards the

\* Fairfax MSS. To save repeated references to this collection, we may here state that all the correspondence, &c., extracted in the memoir are derived from that source, except where it is otherwise specially stated.

end of the twelfth or the beginning of the thirteenth century. The first of the family whose name we find recorded is Richard Fairfax, who, in 1204-5, possessed the manor of Askham, and other lands in the neighbourhood of York. His grandson, William Fairfax, was high bailiff of York in 1249, and purchased the manor of Walton, from which the family afterwards drew a title. Thomas, the descendant of this William Fairfax, was created Baron Fairfax of Emely, in the county of Tipperary, in Ireland, in 1629. By intermarriages of the junior branches with families of consideration, new properties were acquired, and new lines established, by which the influence of the house of Fairfax was augmented from generation to generation. Sir Guy Fairfax was one of the judges of the Court of King's Bench in 1478, and building a castle at the manor of Steeton, established the principal family residence at that place.

Sir William Fairfax of Steeton, the heir of Sir Guy, became a judge of the Common Pleas; and his heir, Sir William, was high sheriff of York in the reign of Henry VIII., and by marriage obtained the manor of Denton in Yorkshire. Sir William disinherited his second son, Sir Thomas (the eldest dying without issue), because he assisted at the sacking of Rome in the beginning of the Reformation; and a younger brother, Gabriel, became consequently the possessor of the whole of the property over which his father had any right of control. The will by which Sir William made this disposition of his estates is a remarkable document, not merely on account of the minute instructions he gives for the arrangement of his funeral, but because he never mentions the name of the offending son whom he disinherited by this instrument.



## WILL OF WILLIAM FAIRFAX.

IN the name of God, Amen.—This is the last will and testament of me, William Fairfax, of Steeton, in the parish of Bolton Percy, near York, Knight; now whole of memory, thanks be to God, made this third of March, in the Year of Our Lord God, One Thousand Five Hundred and Fifty-seven, in the fourth and fifth year of the reign of King Philip and Queen Mary, at Steeton aforesaid. First, I will and bequeath my soul to Our Lord Jesus Christ and Our Lady St. Mary, His blessed mother; and my body to be buried in St. Nicholas his choir, in Bolton Church, or elsewhere it shall please God I do depart. And my executors to see me brought forth to the honour of God and worship of my consanguinity with fourteen black gowns to fourteen poor men of Bolton, Appleton, Coulton, and Bilborough, and fourteen torches, with thirteen shillings for their pains, and to every grass house in Bolton, Appleton, Bilborough, Coulton, and Tadcaster, I bequeath sixpence; and dole at my burial to the needy poor liberally at the pains and discretion of my executors. I will and bequeath to Ursula and Bridgett, my two daughters, two hundred pounds a piece, to either of them, over and besides the leases that I have already made to them of Appleton, Ferriby, and Sandwith; also to either of them one standing cup with cover gilt. Also, I will and bequeath to Elizabeth Rockley, daughter of Mary Rockley, two and twenty marks to her marriage. These sums to be paid and levied off my goods by my son Rockley; also, I will and bequeath so many of my lands, tenements, possessions, rents, reversions, and hereditaments, as by the laws and statutes of this realm I may be permitted to will, grant, and give, by will and testament, lying and being within the realm of England (except Bilborough, Rigton, and lands in Acaster), to my son Gabriel Fairfax, and to the heirs males of the body of the said Gabriel for ever, and for default of such issue then to Henry Fairfax and the heirs males of his body, lawfully



begotten for ever, except always that all covenants heretofore made and conveyed by deed, fine, and otherwise, be not hurt or damaged by reason of this my will and gift, as Steeton, Moremoncton, and Bolton with Woolston, heretofore granted to my said sons Gabriel Fairfax and Henry for certain years, with remainder in reversion to Gabriel, not to prejudice the letter patents, or gifts of two chantries, the one at Bolton Percy, the other at Denton, of five pounds either of them, both them to stand and be in force. And for all my implements and goods moveable and unmoveable, plate, money, and cattle, I will and bequeath the order and disposition thereof to my son-in-law Rockley, Gabriel Fairfax, and Henry Fairfax, my sons, whom I ordain and make my executors of this my last will and testament, and they to pay the foresaid three daughters, and get marriages accordingly. In witness whereof hereunto I, the said William Fairfax, have set my hand and seal to this my last will.

Record, the parish clerk of Bolton Percy, Edmund Gudsone, writer hereof, and Richard Calvert, curate of Bolton Percy, with divers others.

By me, WILLIAM FAIRFAX.

“Est legum servanda ; suprema voluntas  
Quod mandat fierique jubet, parere necesse est.”

“The will of dead men is a sacred band ;  
To see it kept, obliging every hand.”

*Or thus :*

——“The laws should be observ’d ; but dead men’s will  
Must needs be kept, command they good *or ill*.”

Note—that it was in disinheritance of my grandfather, Sir Thomas Fairfax, of an estate better than two thousand pounds per annum, by this will (and other deeds) settled upon younger children. Contrary to his former will, made 2 Ed. 6.

Et quære si in hac ultimâ voluntate habuit animam disponendi.\*

\* Note by Mr. Charles Fairfax.

Sir Thomas, although he was thus deprived of numerous manors, including the family estate of Steeton, was not left wholly without provision. He inherited Denton in right of his mother ;\* and from this source sprang that line of the Fairfaxes whose correspondence occupy these volumes, and who raised the historical reputation of the name to a greater height than it had ever reached before.

Sir Thomas Fairfax, of Denton, was knighted by Queen Elizabeth in 1576, and died in 1599. He had issue, Thomas, who succeeded him ; Henry and Ferdinando, who died young ; and two daughters. Colonel Charles Fairfax, who was governor of Ostend, and was slain at the siege, by a wound on the face from a piece of the skull of a marshall of France, who was killed close to him by a cannon ball ; and Edward Fairfax, the translator of Tasso, who may be justly regarded as the first English poet who imparted metrical smoothness to his lines, were also sons of Sir Thomas Fairfax.†

Sir Thomas Fairfax, who succeeded to the estate of

\* Chalmers was ignorant of this fact, and was consequently led into an erroneous assumption concerning the inheritance of Denton.

† Theophilus Cibber in his "Lives of the Poets," says, that Edward Fairfax was a natural son of Sir Thomas. Sir Robert Douglas, in his *Scotch Peerage*, generally remarkable for its accuracy, includes Edward amongst the legitimate children. Chalmers adopts this statement, which has subsequently been admitted without dispute. But the matter cannot be decided upon the unsupported authority of Sir Robert Douglas. In the *Analecta Fairfaxiana*, drawn up by Mr. Charles Fairfax, grandson of Sir Thomas, who must have known the exact relationship of every member of the family, the issue of Sir Thomas is given in detail, as we have stated it above ; after which follows, enclosed in a parenthesis, the names of Charles and Edward, thus :—(*Sir Charles Fairfax, and Edw. Fairfax, of Newhall, Esq.*) The inference apparently intended to be drawn from this form of exclusion is, that they were both natural children.

Denton, distinguished himself as a diplomatist early in life under the reign of Elizabeth, having been sent five times into Scotland to conduct negotiations with King James, who was so pleased with his conduct that he offered him a title, which he refused.\* He was afterwards knighted before Rouen, in Normandy, by the Earl of Essex, the Captain-General of the Queen's forces; a distinction which he won by the courage he displayed in the army which was sent to the assistance of Henry IV. of France. He married Ellen, daughter of Robert Ask, Esq., by Elizabeth, daughter of Sir John Dawney, whose mother was daughter of the Lord Latimer, and who was descended on her father's side from the Lord Clifford.

The earliest notice we find of him amongst the papers of the family is contained in a short correspondence with the Lord Sheffield, Lord President of the North. Sir Thomas Fairfax had been at this time about three years in possession of Denton, a position in the county which brought him into immediate intercourse with the Lord President. Some difference arose between them, but the actual grounds of it are not very clear. Lord Sheffield seems to have taken offence at an injurious report which was spread, to the effect that Sir Thomas had publicly exhibited a fabricated letter, purporting to come from Lord Sheffield, in which his lordship was made to acknowledge that he had done Sir Thomas a wrong, by taking part with a certain kinsman of his against him. The reply of Sir Thomas Fairfax shows that the report was entirely without foundation.

\* *Analecta Fairfaxiana.*

## LORD SHEFFIELD TO SIR THOMAS FAIRFAX.

[2nd of September, 1602.]

SIR THOMAS FAIRFAX,

I HAVE forborne thus long to write to you touching a matter, wherein, if it be true, you have wronged me, because it is not my custom to try any man of quality without instant cause. But now that I understand the nature of the wrong, I would have you think I am no man to bear such an injury as this seems to be without due satisfaction. Therefore to be brief, I find, upon due examination, that a letter (falsely supposed mine) unto you hath been shown to many, wherein I should make declaration how much I had wronged you, in taking Mr. Fairfax's part against you, and that I was therefore sorry, and would afterwards send him home his son again, and deal no more with him, in regard I found his title so weak. Now, this letter having been shown by your own followers, breeds a pregnant suspicion that they durst not take upon them to have divulged such a matter, being of this moment, without your privity. Therefore, herein I look to be satisfied from you, for I have too long preserved my reputation, both in my *trueness* to my friends, and my light regard of my enemies, now to swallow an injury of this nature. Therefore, to conclude, I expect your present answer, and rest so far your friend as by your answer I shall be, and rest,

E. SHEFFIELD.

## SIR THOMAS FAIRFAX TO LORD SHEFFIELD.

RIGHT HONOURABLE,

I DID hear of such a report as your lordship writes of, that should have been delivered to your lordship; yet I had no assurance of it, but because I thought it probable, for that I had received many wrongs of like nature from the place from whence that sprung. I did go to your lordship's son, and protested against every part of the report upon my



credit, and desired him to signify the same to your lordship. I did in like sort speak to one Hallyley, who had said something to the effect which your lordship writes of, urging him to the proof of it, but he denied to name any reporter. I hoped that this, together with the unlucky hand of it, would have satisfied your lordship. I did speak of it to Mr. Cr. Swift, who, as I conceived him, said your lordship was satisfied, and that my kinsman, William Fairfax, understanding that the report was untrue, had signified so to your lordship; but if all this suffice not, here I set it down under my hand that there was never such a writing nor word to that effect spoken or showed by me or any of mine. And let the least part of this be proved, and I will take the shame of the whole. Yet shall I entreat your lordship that it may not rest thus; but that as I am desirous to give your lordship satisfaction, so that for my satisfaction your lordship will be pleased to appoint the cause to be examined; and since a mighty shame is due to the doer or suggester, let him bear it to whom it is proper. And in the meantime think that I have honoured you; I do honour you, and will satisfy you, as an honest man should do a most noble lord. And thus I wish you much honour, and humbly thank you for calling it in question.

Your lordship to command,

THOMAS FAIRFAX.

*From Huton, this 3d of September.*

The little touch of diplomacy towards the close, reveals a strong element in the character of the writer, who was not deficient in worldly sagacity, and an ambition which aimed at patronage and honours.

After this time Lord Sheffield and Sir Thomas were drawn together into relations of the closest amity. Sir Thomas was appointed Vice-President of Her Majesty's Council in the North, and intermarriages between their families rendered their connection still more intimate.



The division of the Fairfax property by the will of Sir William Fairfax, and the establishment of two lines of Fairfaxes at Steeton and Denton, had led to suits and disagreements in the family, by which the estates at both sides were seriously impaired. All these feuds were happily healed and reconciled under the roof of Lord Sheffield, by the double marriage of Sir Philip Fairfax, of Steeton, the grandson of Gabriel, and Ferdinando, the eldest son of Sir Thomas Fairfax, of Denton, with his lordship's two daughters, the ladies Frances and Mary. These marriages terminated the dissensions in the Fairfax family, and established a firm friendship between Sir Thomas Fairfax and Lord Sheffield.

The union of Sir Philip Fairfax and Lady Frances became, unfortunately, a source of great uneasiness to both families. Sir Philip abandoned himself to a career of profligacy and reckless expenditure, and had scarcely come into the possession of his property when he attempted, in various ways, to raise money at enormous losses to support his excesses. Even before he became of age he laid the foundation of his ruin. Lord Sheffield in vain endeavoured to restrain the vices of his son-in-law, who did not hesitate to carry his delinquencies so far as to mortgage and lease the same lands to different persons, so that it became dangerous to risk a purchase at his hands. The following letter from Lord Sheffield to Sir Thomas Fairfax refers to a portion of the spendthrift's property, for which Sir Thomas had been negotiating :—

TO MY VERY LOVING FRIEND SIR THOMAS FAIRFAX, OF  
DENTON, KNIGHT,

ONE OF HIS MAJESTY'S COUNCIL IN THE NORTH.

GOOD SIR THOMAS FAIRFAX,

TOUCHING the first part of your letter now received, I cannot but still add to my grief for the evil course of my son. I am resolved to lend my best endeavours to overthrow the bargain made with Carrayle, which I defer until my going up. But for the rest, which is now under sale (as you write), I rather wish it to you then to any other (being the seat of your ancestors). And I shall grieve to hear that any man enjoyeth a good bargain of that, but yourself; yet you must excuse my not assenting to this motion, for I purpose to oppose the sale of any more of his land, until I can be satisfied of the alteration of his courses which, hitherto, have tended only to the ruin of his whole estate. But the law is uncertain, therefore between you and me, this shall be resolved if counsel advise you that he can make a good estate (and you thereupon think good to deal with him), you shall not take it unkindly that I seek to maintain that interest, which myself and others suppose we have for those of his posterity; neither will I, in any measure, think unkindly at you, for prosecuting any course, lawfully to make good the title to yourself (if you buy the land), for if by law he hath power to sell, I know he will not keep any; and my respect and love to yourself is such, that I should be sorry you should lose the opportunity of a good bargain which shall be wo . . . wished by

Your assured friend,

SHEFFIELD.

P.S. I perceive you have carefully prevented the danger of great mischief at your late meeting, for which I thank you, desiring you will persist by all good means to settle that business in peace; I shall not need to add to the authority

you have already, but earnestly require that you will have special regard to keep the quarrel from further growth.

*Normanby, 6th March, 1611.*

Notwithstanding all Sir Thomas's prudence and foresight, it is by no means clear that he was not imposed upon after all. Sir Philip intrusted all his affairs to a knavish follower, who by administering to his extravagant tastes and riotous pleasures, worked himself so completely into his confidence, that he prevailed upon him to make over leases to him by which he held a complete right over certain portions of his property. This fellow, whose name was Batrus, secretly obtained a lease in this manner on the very day Sir Philip came of age, protesting to Lord Sheffield that he was not of age till the following day; and after giving the most solemn assurances to Sir Thomas Fairfax that there was no claim or mortgage upon the manor of Bolton Percy, which Sir Thomas was about to purchase, came forward, after the purchase was completed, with several leases of that and other properties which he had previously procured from his master. The whole transaction is disclosed in a paper of instructions written by Sir Thomas Fairfax for the information of his legal adviser.

INSTRUCTIONS FROM THOMAS, LORD FAIRFAX, TO MR. DALTON,  
RESPECTING THE ESTATES OF SIR PHILIP FAIRFAX.

RALPH BATRUS, some time servant to Sir P. Fairfax, the chief instrument of his master's unthriftiness, and the enticer of him unto vices and lewdness in the house of him

the said Batrus, on the first day that his said master came to twenty-one years, secretly procured a lease of lands and tenements lying both within Boulton and Appelton unto his own use, persuading the Right Honourable the Lord Sheffield, who was careful to prevent the profuse wastefulness which he feared in Philip Fairfax, his son-in-law, that he was not at years until the day following, so he procured that lease before the estate which Sir Philip Fairfax did make unto fiefs for the establishing of his lands.

Some years after which time, Sir Philip being driven by necessities, did, by the consent of the said feoffees, sell unto Sir Thomas Fairfax, for valuable consideration, since which time Sir Philip being driven by necessities to make sale of the manor of Boulton Percy, did divers times make offer of the same unto Sir Thomas Fairfax, and often unto divers others, and also procured divers of the feoffees so to do. But the said Sir Thomas being afraid that some incumbrances might lie thereupon whereof he was not aware, did refuse to bargain for the same until such times as the said Sir Philip did bring the said Batrus unto him the said Sir Thomas : who did affirm that there was not anything done by his master but he the said Batrus was privy thereunto, protesting that there were no leases let by his said master but that one to himself, which was before the estate made unto the feoffees, and one or two trifles to other tenants, protesting, with many oaths, that he would take one hundred pounds to discharge and redeem them all to Sir Thomas Fairfax's use.

Whereupon the said Sir Thomas was persuaded to bargain with his said master, and all the feoffees, and gave unto him a very great consideration both in present monies and in land. Since which time the said Batrus hath set on foot divers and sundry leases granted by the said Sir Philip unto him, whereof these in the tenure of Boulton and Doughtie be two, vaunting that he hath many others yet of like nature, all which were made by Sir Philip to commence after expiration of leases in being. Being at the first but tenant in tail,



and after the estate made unto the feoffees they stand seised thereof unto the use of Dame Frances, his wife, and other uses.

The purchase from Sir Philip and Dame Frances his wife was to Lawrence Maudesley, Robert Jackson, and George Brathwaite, and that from the feoffees was to myself.

I shall desire you, Mr. Dalton, to be careful in the drawing of this bill. I cannot send you so perfect instructions as I would, because I want those writings which should instruct me.

Your assured friend,

T. FAIRFAX.

I was persuaded by my counsel there, that the estate from the feoffees would prevent all the secret acts of Sir Philip, because he did stand in no estate of Boulton after the act unto them.

Sir Philip Fairfax did not live long to pay the penalty of his transgressions. He died in his twenty-eighth year ; Lady Frances survived him only two years, and they were both buried at Bolton.\*

The time of Sir Thomas was fully occupied with family matters and the management of his estate. He appears to have fulfilled with tenderness and integrity all the domestic responsibilities that devolved upon him. A letter to his brother Henry, one of the brothers who died young, furnishes an evidence of the kindliness of his feelings ; nor is it wanting in interest as throwing some light on the superstitions of an age when persons were to be found amongst the educated classes who attributed storms at sea to the personal intervention of the devil.

\* The issue of this marriage was :—1. Edmond ; 2. William, who succeeded to the title ; and 3. Ursula, to whom further reference will be made hereafter.



TO HIS ASSURED LOVING BROTHER, MR. HENRY FAIRFAX,  
FELLOW OF TRINITY COLLEGE, IN CAMBRIDGE.

KIND BROTHER,

MY service promised, &c. ; yours of the 22nd July, I received, wherein you advised of your intended journey for Yorkshire, which makes me doubtful of writing for fear of your performance thereof. No good news occurreth worth writing of, but only a remembrance of my love and service, which to my power is always at your command. My Lady Elizabeth is to be married upon Shrove Tuesday next ; three feasting days to be kept, namely, Tuesday, Wednesday, and Thursday, and two masques, which already is set down to be at her marriage. As for ill news, too many there is. I know it is not unknown to you, by the report of many, of my master his mishap, through ingaging himself too far for a treacherous villain, namely Staps, who within this three months was thought to be a man worth 20,000*l.*, and hath had no losses since, but fell of a sudden to the overthrow of divers men. His father was thought to leave him clear worth 19,000*l.*, and 6000*l.* he hath had by his wives which is 25,000*l.* ; his father died but four years ago, and how should this man spend all that and 25,600*l.* more besides, it is a wonder to think of it, he having no losses at all upon the seas ; but of that no more. His debt is forty thousand pounds, and more, whereof he hath to pay 15,000*l.*, rest for other men to pay 25,600*l.* ; by which means my master, Mr. Townsend, Mr. Morgan, Mr. Fox, Mr. Leate, are all undone : my master is the most in, for he is the worst of them, the rest with much ado may hold, but he is past recovery. I pray come to my brother Charles, and tell him that I am so full of business by reason above stated, that I could not write unto him ; his of the 16th September, wherein he and Henry Maurice promised to write oftener then they do. I would not promise them because I am not my own man to write when I will as they may. Many of our merchants ships be cast away

upon the seas this storm, and there is great talk that the devil should be seen upon the sea, and this morning I heard it credibly spoken that the devil was upon the Thames in a sculler, and when he was in the midst of the water he vanished away so that none could tell what way ; this I heard spoken, you have it as I had it ; believe it if you will ; now in these our troubles it were a great comfort for me to hear from you or any of my friends, which at this my intreaty I pray vouchsafe to let me hear from you so often as conveniently you can ; it is with much ado that I write unto you, for I am very busy about writings, and it is but an hour's warning that I have to write.

Yours whether you will or no,

and to command to his power,

THOMAS FAIRFAX.

*Laus Deo, In London, 11th January, 1612-13.*

Sir Thomas lived chiefly at Denton. His manor engrossed much of his attention ; nor did he escape the vexations to which the looseness of the time exposed estated gentlemen who desired to preserve their rights strictly. A curious illustration of the rude troubles of this kind in which he found himself embroiled, is supplied by a letter from Tobias, Archbishop of York, concerning some alleged misconduct of the Archbishop's servants in trespassing on Sir Thomas's grounds.

TO THE RIGHT WORSHIPFUL SIR THOMAS FAIRFAX, OF  
DENTON, KNIGHT.

SIR,

WHEREAS by your letter this day to me directed, you said you are sorry that your great respect of me hath begotten in me so great a contempt of you, that you appealing to me for the wrongs done you in my own house, by my

own servant, myself would not vouchsafe the hearing, much less the reformation of so great an injury ; and that this, my suffering, hath given encouragement to other my servants and followers riotously to hunt your grounds, under pretence of a warrant from me, affirming that they will do the like again ; and some others of my servants not contented with the killing of deer there, do threaten your servants to beat and wound them. You thought to acquaint me herewith to see if I be more feeling of the second than of the first, and desirous to know my mind therein. My answer to your said letter is, first, that you never had greater respect of me than I have had regard of you, all due circumstance considered ; secondly, that the supposed wrongs done you here, if any such were, proceeded not from any servant, but an officer of mine, who alleged himself to be much provoked by you ; which, to examine, I had then no leisure, being otherwise employed, and feared withal least multiplying of words between you might rather incense than qualify choler ; thirdly, if any of my servants or followers have riotously hunted your grounds, as you allege, I pray you be persuaded they had no warrant from me, nor any of mine that I can learn, to hunt at all in any your grounds, much less to threaten any of your servants, which faults, if they have committed, either within doors or a-field, the laws of God and man are open to give you self-sufficient satisfaction at their hands, but not at mine, who never offended you, as the searcher of hearts best knoweth, to whose heavenly direction I commend you and your proceedings, as well herein as in all other your lawful and laudable actions.

Your ancient loving friend,

TOBIAS EBORCEN.

*Bishopthorp, 21st of May, 1613.*

Sir Thomas had a numerous family, and the difficulty he found in providing adequately for them was increased by the extravagance in which some of them indulged.

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His son William, who afterwards served as a major in the Palatinate, appears to have drawn down a strong rebuke from his father, to which the following letter from Colonel Vere, under whom William was serving, immediately refers. The heading of the letter is in the handwriting of the young officer whose excesses had incurred so much displeasure.

A COPY OF MY NOBLE COLONEL'S LETTER TO MY FATHER,  
TAKEN AT YORK, THE 16TH JANUARY, 1617.

WORTHY SIR,

I GIVE you many humble thanks for yours to me, and have my full satisfaction, I assure you, in your kind acceptance for the poor favour I have done your son, of whom I entreat you that you will be pleased to have better hopes and better opinion than by your last to me and to him ; it seems you have conceived he is yet young and of no ill, but a very good condition ; somewhat flexible, but more to good than the contrary. Years and time will make him more solid. He is a fair plant, and you need not fear his growth in virtue by God's grace, for he spends his time better than you are either informed, or have, out of your fatherly jealousy of your son's wedding, apprehended. The worst in him hath been (I cannot now say is) his improvidence in his expenses, for which he hath been so bitten by your last letter, and so well remembered of it by me, as I deceive myself much if he take not up from running any more such careers, though to prove an exact manager upon the sudden I will not expect at his hands, but in reasonable time I will, and then I hope he shall not want your fatherly encouragements ; in the meantime I pray you let your next lift him a little up again, whom your last hath much thrown down, &c.

VERE.

*January 6th, (16th N.S.)*



Other letters to his sons Ferdinando (the eldest) and Henry, who afterwards entered the Church, and became rector of Bolton Percy, hint at a similar disposition to exceed the allowance he was able to afford them at college.

TO MY VERY LOVING SON, HENRY FAIRFAX, IN TRINITY  
COLLEGE.

HARRIE,

I WOULD to God you would forbear to write to me in this uncomfortable style, or promise to yourself my displeasure, which, God is my witness, hath ever been far from my heart; and that, not only you may perceive, but all they which be about me do daily see, in those courses which I daily endeavour, as I think, for your good; for even then, when I received your last letters, I was at York, whither I did go purposely to procure a thing for your present advancement; and I am to disburse for the same 400*l.*, which I will do, for all the exceeding wants that I am this year cast into. And I think this cannot be thought displeasure of mine towards you. Therefore, neither wrong me nor yourself, since I suffer your brethren, with myself, to want for your good.

If you dislike the course you are in, or whatsoever you would, let me know. Take your own course—be satisfied, and I am pleased, so that you forbear to write this melancholy letter unto me, your mother, and brethren. I beseech God bless you and us all with his infinite mercy; and pray for me as I do for you.

Your very loving father,

FAIRFAX.

*Toulston, this last of May.*



TO MY LOVING SON, HENRY FAIRFAX, ONE OF THE FELLOWS  
OF TRINITY COLLEGE, IN CAMBRIGDE.\*

HENRY,

I LIE this night at Huntingdon, in my way to London, and from hence I have sent you letters, and I did send you letters at Martinmas by Lawrence. I pray God bless you and your studies to the service of his Church which is the happiest profession that can be. All other services be bondage, but this is perfect freedom. If it be honour to serve a King, it is more to serve the King of Kings, and after his rewards there is no wants.

Your mother (I thank God) is well, your brothers and sisters are so. My Lord Archbishop commends him to you, and saith he will not be unmindful of you; this summer you must spend in the country to be known unto him. This is all I have to write, and what you write send to my nephew. Ask his chamber, because I am uncertain of my lodging.

Your loving father,

T. FAIRFAX.

*Huntingdon, this 17th January.*

TO MY VERY LOVING SON, FERDINANDO FAIRFAX, KNIGHT,  
AT HIS BROTHER'S CHAMBERS IN LINCOLN'S INN.

*[March or April, 1621.]*

FERNANDO,

I HAVE sent up moneys to be bestowed thus :—to Mr. Boswell, 45*l.* for your brother Peregrine, and to Mr. Thomas Cockell, servant to Mr. Justice Hutton, 20*l.*, to pay the fine for my son Wentworth's estate. I pray you be careful therein, and safely deliver the same, otherwise it will grieve me much; for the moneys which I have formerly sent

\* Henry Fairfax, elected Fellow of Trinity College, 17th September, 1608. Installed Prebend of Friday-Thorpe, 1615. Charles Fairfax came to College, October 5th, 1611.

have not been employed to the uses which I intended, as 20*l.* for the charges against Nun Appleton in your hands, and 20*l.* to my son William in Charles's hand. I did write to him to be advertised whether he did return it, which the Scottish gentleman, with the other 30*l.* sent by my Lady of Shrewsbury to my son Joseph, but he is silent. I pray God he make not a semblance of sanctity, the cloak of evil dealing. Let me hear from you both concerning these things.

Remember my great charges in the bestowing of your sister, my small rents, and the evil coming in of the same, and the debts and other occasions which I must use moneys in, for I expect not that this sum, or triple so much, will pay the fine; but let Mr. Cockell disburse this, and give me an account thereof. The acknowledgment of the fine is from Mr. Wentworth and his two sons, and Mr. Haley, Mr. Justice Hutton's clerk, hath it. I have sent you this enclosed note from my brother Wentworth, to give to Mr. Cockell for directions. I understand that Gill hath removed his indictment by certiorari, and intendeth to revert it. See what can be done therein, for that will be very chargeable to me if he should effect it. Munkes is his attorney, and I hear Bladin his solicitor. I pray you speak to Mr. Cockell to be careful in that business also.

I did write to Charles to know whether he had the books between Bensley and me in readiness, but I have no answer; if that matter be *heard* and I impounded, I might therein sustain much loss. You did write a strange letter to my cousin Fairfax concerning your brother Charles's business with Mrs. B., as if men in their own business should do nothing for themselves, but men of your mind will so speed.

It is time for you to take some course for yourself also, for you receive much from me, and are unthankful—filling others with reports of your small exhibition, saying it is but 200*l.* per annum. If it were no more, yet it is twice so much as I had when I kept you and your brother Henry abroad; but I will reckon you more. Ouston 204*l.*, so I did

let it and Haleley for 4*l.* more ; the Tithe of Bilborough 38*l.* ; set this but to 240*l.* per annum, then to your son Thomas 20*l.*, to your daughter Ellen 20*l.*, your two children at home with me 20*l.*, and yourself and servants 30*l.* This, I think you must confess, to be the least, and yet you write that I give you but 200*l.* per annum. And whether I have been beneficial unto you beside this, as you remember not, I do. Still your courses be extravagant as if you were mindless of your posterity. I pray you then resolve of some settled course to yourself, and take away the opinion of the world, that Clarke hath such interest in you, as either you cannot, or will not, marry. For, sir, I am sorry to write thus unto you ; I did once before teach it in a letter, and glance at it often in words ; it is a thing concerning me so near as I must speak ; for, to my grief, I and all the country do hear of it. Consider what a father you have that is contented to want a nurse for myself, and to undergo the care of house-keeping, that I may be a nurse to your children. These things slighted by you may make me think that charity begins at home, and then desert your children. I pray you, howsoever this have been, let them be better in the future, and I pray God bless you and yours.

Your loving father,

*York.*

T. FAIRFAX.

It was subsequently to the date of these letters that William and John Fairfax went into the Low Countries ; and it appears by a letter from William Fairfax to his brother, that Sir Thomas himself joined the army on this occasion, and participated in the hardships of the campaign.

*7th August, 1620.*

BROTHER,

WHAT was sent me from hence, I know not ; but understand that most of my chiefest books were left behind ;

yet in whose custody I cannot learn, neither why they staid behind their fellows.

Those that came into your hands I refer to your disposing, only I desire that my ancient manuscripts and Roman coins may be from me presented to the famous Selden, to whom I intreat my best respects may be remembered. It was told me my kinsman and Lieutenant-Colonel, Sir Edward Vere, had sent for my best antiquities, as well books as coins. If he have, there will be nothing left worthy of Mr. Selden's view; howsoever, let him know the fault is none of mine, for not only what I have, but even myself I vow unto his service. Desire him to remember my best respects to those whom he knows I most desired to be made known unto. But that my occasions are extraordinary at this instant, I would have written to him.

I am now upon going with my company from my old garrison, Rotterdam, to Rees, the place appointed for our rendezvous, where the Prince of Orange is to furnish us with a sufficient convoy of horse for our further transport towards the Palatinate. The report of Spinola's intention to prevent our passage has brought my white-headed father into the Low Countries, who, since his coming amongst us, is grown forty years younger than he was before; he resolves to make one, and to that end has provided himself of horse and arms, and all other necessaries. He is received here with very great respect; the memory of his former actions, as well in these parts as in France, being the chiefest cause thereof. If it shall please God that he return no more alive, my request shall be to Mr. Selden to grace him with an epitaph; a better quill than his can never be set on work, and to employ a meaner were but to detract from him that doth deserve so well. So, in extraordinary haste, farewell.

Your ever loving brother,

*Rotterdam, August 7th.*

WIL. FAIRFAX.

Since this time we are come to Wessell, on our journey



towards the Palatinate. My father was never in better disposition—he takes his lodging with me in my straw mansion, in the field before Wessell. We lie within sight, and almost shot of the tower: we expect to come no nearer it, although a bridge is made to pass the Rhine. How long we shall stay here is yet uncertain, as we are to frame our course according to those of our enemies, Spinola being (as far as we yet can understand) on both sides of the river with his troops.

*From the Camp, near Wessell,  
August 25th, 1620.*

William Fairfax, who expressed so anxious a desire that Selden should write his father's epitaph, discharged that pious duty himself, not very long after the date of this letter. A report having been spread of the death of Sir Thomas, William produced the following verses on the occasion. They at least evince the affectionate respect he entertained for the memory of his father, who happily lived to read the inscription intended for his tomb.

#### ON THE VALIANT AND VIRTUOUS KNIGHT PRUDHOME.

“Is Prudhome dead? Yet Heavens defend  
His virtues with his breath should end.  
Religion, virtue, wit, and spirit,  
This corpse of his did late inherit.  
Whilst, therefore, these on earth reside,  
It can't be said that Prudhome died.  
There's only then enclosed here  
The casket where these jewels were.”\*

It is not much to the discredit of the young soldier that he was a better son than poet.

The army collected by the enemy in the Low Countries

\* *Analecta Fairfaxiana.*

was numerically powerful, and commanded by some of the ablest men in the Spanish service. The whole strength of Spinola's forces is drawn up in a paper entitled—

#### THE STYLE OF A PAMPHLET OF SPINOLA'S FORCES.

THE invincible army led by his Excellency the Marquis of Spinola, Captain General\* for his Imperial Majesty for the Majesty of the most Catholic King, against the rebels of the Empire, to reduce them to obedience. Who set out from Brussels the 9th of August (new style) towards Frankford, by command of his Imperial Majesty, with such sounds of trumpets, drums, and vollies of shot, as might have made the earth to tremble, to the unspeakable joy of all such as were well affected to the Catholic faith, which was much increased by the alacrity of the soldiers as well as captains, shining in their arms like so many beautiful stars in the heavens, the people and soldiers making the heaven echo with their cries—  
“ Ever live the Magnificent House of Austria !”

#### VOUT VOLK DE SPINOLA.

##### SPINOLA'S FOOT.

Regiment de Don Diego Mexia, Espaignol . . .	1300
Regiment de Baron de Belancon, Burgundy . . .	3000
Regiment de Count de Embden, Almayns . . .	3600
Regiment de Monsieur Gulfine, Wallons . . .	3000
Regiment de Sebastian Baur, Almayns . . .	2400
Company de Senhor de Valette, Italian . . .	180
Company de Ferdinando Caracolle, Italian . . .	150
Company de Monsieur Turland, Flamins . . .	150
Company de Monsieur Ja. de Boyners, Wallons . . .	150
Company de Monsieur Francis Bugone, Flamins . . .	160
Company de Filebert de Spanger, Flamins . . .	150
Company de Loyes Verekin, Flamins . . .	150
Regiment de Prince Campolatterra Neapolitan . . .	4000
Regiment de Count Viscount Milonensen . . .	3000
Regiment old Spanyarden Van Millian . . .	3000
Summa vout Volke Van Marquis Spinola . . .	24,390

\* His style for the Catholic King hath relation only to his command in the Netherlands.

## SPINOLA'S HORSE.

Le Count Vandeberk hern general . . . . .	300
Le Count Dissinberke . . . . .	300
Le Count Ja. de Nassau . . . . .	600
Le Duke de Arscott . . . . .	500
Don Inigo de Brusquelle . . . . .	180
Don Ferdinando Inigo Lasso . . . . .	100
Don Francisco de Giuara . . . . .	100
Don Phillippo de Silva . . . . .	100
Don Ja. Baptista d'Storia Italia . . . . .	100
La Baron Dassy . . . . .	100
Monsieur Ja. Firll . . . . .	100
Monsieur Ja. Charles de Obermont . . . . .	160
Monsieur Charles de Gromont . . . . .	100
Don Gulielmo d'Storia . . . . .	100
Monsieur Adrian de Talmorth . . . . .	100
Monsieur Augustine Delamott . . . . .	100
Monsieur Baron de Stoberkin . . . . .	100
Summa Perden . . . . .	3000

Perdin Van Dutch herin (viz. Voluntaries of the Dutch nobility and gentry) . . . . .	1300
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## THE PROTESTANTS' ARMIES IN BOHEMIA.

## FOOT.

Julius, Duke Hartock van Wertenbeck, en regiment . . . . .	2000
Magn. Hartock van Wertenbeck, en regiment . . . . .	2000
Charles, Martgrave van Baden, en regiment . . . . .	2000
Landgrave Wilhelm van Hessen, en regiment . . . . .	2000
Frederic, Earl Grave van Solmes, en regiment . . . . .	2000
Reynard, Grave van Solmes, en regiment . . . . .	2000
Waterwish, Grave van Warden, en regiment . . . . .	2000
Starkenberke, en regiment . . . . .	2000
Waltmans Hausin, en regiment . . . . .	2000
General Earl Comes Plickard, en company . . . . .	300
Captain Bartram, en company . . . . .	300

Summa vout Volke . . . . . 18,600

Summa vout Volke van Syne Excellency Maurice van Nassau . . . . .	14,000
Summa Rutterie Perden van Syne Excellency Maurice de Nassau . . . . .	3000

## HORSE.

*Rutterie Perden.*

Landgrave Wilhelm van Hessen . . . . .	300
Grave Wilhelm van Hessen . . . . .	300
Ryngrave Otho . . . . .	1000
Grave van Ohenlo . . . . .	1200
Colonel Goultesteine . . . . .	1000
Ruttmaster Obertrout . . . . .	500
Overht de Megan . . . . .	700
Hartock van Brunswick de Oversten Lieut. Prisk. . . . .	400
Hartock van Wittenberke son guarded harquibusheirs . . . . .	160
Martgrave van Badin son garde de harquibusheirs . . . . .	160
Francis Cripps, under Captain Biber . . . . .	150
Grave Ausberk harquibusheirs . . . . .	800
Tropen de Saxicken harquibusheirs . . . . .	800
Maurice van Hessen . . . . .	2300
Summa Rutterie (horse) . . . . .	8950

Another letter, addressed to Mr. Charles Fairfax, continues the narrative, and brings us closer to the actual operations of the campaign.

TO MY BELOVED BROTHER, MR. CHARLES FAIRFAX OF  
LINCOLN'S INN, THIS DELIVER.

*Easter Eve, 1621.*

WE marched through the enemy's country with thirteen colours displayed, and drums beating; the boors flying, we were left to be our own carvers, when we took what served for our present relief, such as bacon, hens, bread, &c., sometimes staying two or three days in one quarter. But in a friend's country, whosoever had taken the worth of a hen, upon complaint being made, should have been severely punished. And thus, from the middle of August to the middle of November was our time taken up, sometimes with marching East, sometimes West, and, I dare say, all the points of the compass, one while to escape the enemy, and sometimes to pursue him, as——our General——and Grave Henry, who



conveyed us from his Excellency's leaguer with almost forty troops of horse and 400 old musqueteers, which being joined with our thirteen companies, made a pretty regiment. After much difficulty we got to the Palatinate, whither Spinola was got before and intrenched, therefore had the advantage of us, being upon the march. Not long after, we were commanded to victual for three days' march, in which time all our army was drawn together, and marching in battalia. Our new English army was divided into four divisions (500 in each). The Earl of Oxford and the Earl of Essex (having double companies) made one division, My Lord General, Sir Charles Rich, and Sir John Wentworth, made another; Lieutenant-Colonel Captain Pointer, Captain Fairfax, and Captain Greatrex, the third; the Serjeant-Major, Sir Garrett Herbert, Sir Stafford Wilmot (now dead), and Captain Buck, the fourth. Our four divisions had the van of all the field (except one division, who were to go on before us). Thus, after we had marched up a hill, we espied two English miles off, on another hill, certain troops of horse, with a great army. At beholding the enemy, (which descended) we gave three or four great shots, when our soldiers, by their casting up their caps, it gave good testimony to their captain of a brave effect of their good encouragement. Thus, marching along the side of a hill on our right, and a valley on the left, and by our windings gaining the advantage of ground, wind, and sun, the enemy discharged four or five cannons, when, mounting our ordnance on a hill, and marching into the valley between the enemy and our ordnance, which might have played on us (being thus pitched in battalia) certain musqueteers out of every company were to give the first volley. Thus standing in expectation, we were exhorted by our reverend and worthy doctor to repentance and resolution, arguing upon the injustice of the cause and the honour we may gain by life or death; but the enemy drawing on, we took up our lodgings, and in the morning (our enemy being marched on) we, turning faces about and making an honourable retreat, every regiment returned to

their own quarters. General Vere, now made general on the whole troop of horse and foot for the king of Bohemia, the forces are thought to be 30,000 at the least, which, is said, shall now shortly be drawn into the field ; and for our better enacting for that service, we are exercised by whole divisions every day (except Sundays and sermon-days), to know our motions and postures of our arms. JOHN SNOWDEN.

Before this time Sir Thomas had returned to England, and his son, John Fairfax, apprises him from time to time of the state and prospects of the army. The troops were now lying at Frankenthale.

TO THE RIGHT WORSHIPFUL, HIS VERY GOOD FATHER, SIR  
THOMAS FAIRFAX, KNIGHT, AT DENTON, THIS DELIVER.

My humble duty remembered.

SIR,

I PERCEIVE, by your letters to my captain, that you have solicited my Lady of Shrewsbury for mine annuity ; but whatsoever her promises are, I do not think she either will or is able to perform it, because she was ever behindhand ere she could receive her monthly pay ; yet must I ever acknowledge my bounden thanks for her former nobleness, as occasion is offered. For these wars, if I may so call them, no man can judge of the continuance, but every of its poverty, an officer's means being scarce sufficient to find them clothes, much less private soldiers. Moneys are here exceeding scarce. The captains having received six months' pay, were forced to pay their whole companies for three weeks together, besides many weeks more to make up full means, receiving short of the weekly pay, so that in the end they were constrained to borrow, and when they shall be repaid is not yet known. Every English shilling goes here for thirty stivers, and that in Holland is three shillings, like-

wise every dollar is improved to above ten shillings sterling, so it may be when a little higher the officers shall be paid with less sums. The Emperor's general, Buccoy, is slain, with many more of his men, by them of Newhawsen, a town in Hungaria. The Emperor in Prague hath beheaded, hanged, and quartered about twenty-five persons, some of the nobility, others burghers of the same town, for succouring the King of Bohemia. My Lord Digby is above five weeks gone from hence, but as yet we have not heard from him, and some think that he hath not had audience. Here, in this country, are men daily taken up for Count Mansfield, both horse and foot, for the Upper Pfaltz. This truce is almost ended, and, 'tis thought, shall have no more. It is said that from the Maine are landed 3 or 4000 Italians, near Coblantz, and there make a stand, not knowing whether the Netherlands or these parts shall have greater need of them. Yet Spinola hath already 52,000 foot and 9000 horse for the field, besides men in every garrison. Our regiment, of late, is greatly weakened, because for want of means many are run away. Our worthy minister, Dr. Burgis, is this day gone towards England, whom we shall greatly miss; yet could he not have longer staid, because of his promise made before his coming over,—for one whole year to be absent, which is now expired. Sir, if it would please you to relieve my wants with some little money, you may procure it by means of Burlimaqui, who sends every nine or ten days to Frankfort, from whence we have a post weekly. Thus, with humble prayers for your long health and happiness, and craving your blessing, rest

Your ever obedient son,

JOHN FAIRFAX.

*Frankenthale, the 17th of July, 1621.*

TO THE RIGHT WORTHY MY VERY GOOD FATHER, SIR  
THOMAS FAIRFAX, KNIGHT, AT DENTON, THESE.

My humble duty remembered.

SIR,

THIS country lies now more open than heretofore, and may be assaulted with less difficulty by the enemy, by reason of a strong castle he is possessed of, lying upon the Rhine, whereto he hath drawn his bridge. The governor of Manheim had it in keeping, and though we dare not say, yet think by treachery it was given up. From Heidelberg, the Duke du Pone is said to remove with the rest of that family to some place of more safety,—the Chancellor's loyalty greatly suspected. Our army lies encamped within three English miles of their new-placed bridge, but neither able either to take the castle or remove the bridge: we were drawn once before it, but I think five times our strength could do no good on it, by reason of their succours from the river, which we by no means could hinder. There it pleased God I should receive so favourable a shot through my arm, and made no entrance into my side, but only bruised a rib, that in three weeks was well recovered, but that it is somewhat stiff and must be recovered by use. The Boors begin to make head, but as yet of no great strength. We have no certain news of the King of Bohemia, but is thought is marching netherward. Thus desiring your blessing, will ever pray for your health and happiness, who is

Your ever devoted son,

JOHN FAIRFAX.

*Frankenthale, the 10th Sept., 1621.*

While the campaign was going forward, Lord Sheffield writes to Sir Thomas, to tell him that he had heard the worthy carriage of his son highly spoken of at Court, and congratulates him on his fame, which



he prophesies to be but the “beginnings of a greater honour.” How little did they anticipate the “greater honour” which at that moment was ripening for both sons amidst the shouts of victory !

TO MY VERY LOVING FRIEND, SIR THOMAS FAIRFAX, OF  
DENTON, KNIGHT, THESE.

GOOD SIR THOMAS FAIRFAX,

BEING this day at court, I heard the certain good news of the relief given unto Frankendale in the Palatinate, and the good success it hath had against the enemy, where the worthy carriage of your son hath been much observed, and is here reported to his great applause and commendation. It was no little content to me to hear so worthily of him nor could I be silent in his praises, even unto yourself who I know will joy most in his deserved good fame ; briefly, I hear his valour and endeavours hath merited the report which generally is spread of him, and I doubt not at all, but that these are but beginnings of a greater honour which shall afterward befall him ; and so not knowing better, I will not here trouble you with any other news, but commend me kindly to you, and rest,

Your assured loving friend,

T. SHEFFIELD.

*Hammersmith, 2nd November, 1621.*

John and William Fairfax conducted themselves through these scenes with such bravery as to win the highest encomiums from their commanding officers. In the defence of Frankenthale they were both killed. The letters announcing this melancholy intelligence to Sir Thomas are noted in the handwriting of Charles Fairfax.

## LETTERS CONCERNING MY TWO BROTHERS' (WILLIAM AND JOHN) DEATH IN THE PALATINATE, FROM SIR JOHN BURROUGH TO MY FATHER.

SIR,

I AM heartily sorry my first acquaintance with you by letters must bring with it such news as I am sure, not without just cause, cannot but give you a great deal of sorrow, nor do I desire to be the first from whom this accident should be known unto you. Yet for some respects I have not thought fit to be silent; one by reason of my command, under which it happened, and so, it may be, can give you best account therein. Another, my Lord General pleased to command me to have a care in the ordering of what was since to be disposed on. The discomfort I must make known to you is, that, during the siege of this place, it pleased God to dispose your two sons, I doubt not, to a far better dwelling. Your son, John Fairfax, on Friday night, the 5th of October, being in an outwork, which forty of your son's company and as many of mine did guard, and my ensign-bearer to command them. The work was, within a quarter of an hour after the shutting in of the day, assaulted by the enemy, and after being defended some half an hour, the enemy took it and put to the sword all they found there, except three of mine and five of your son's company, which they took prisoners, and some few others that escaped: myself was then a near eye-witness of this loss, which could not but afflict me; for I had many good friends there, besides some that were near me in blood. When I saw it was gone, and no hope of recovery, I retired from thence, and went to another side of the town, where I heard the enemy was continuing an assault. In the way upon the bridge into the town, I met your son, the Captain who then executed the place of Serjeant-major, and had been giving out of orders. I told him what had happened, and that I would go to the other side of the town to see

what was a doing there. I told him I had left some musqueteers in the next work to that the enemy had taken from us, with a sergeant, and entreated him that he would take some pikes out of the next work where he then was, and go where I had left those musqueteers, for fear the enemy should advance further; whilst he was drawing out those pikes, some soldiers that had been at the work told him particularly of that which happened, and of his brother's death. He it seems, being moved with it, advanced forward towards the work the enemy possessed of ours, and in the way the enemy met him at the push of the pike, and gave him a blow with the pike in the body, and tumbled him down; but he was rescued by those who were with him, the chief whereof was one Foxcroft, his clerk, and a soldier of mine, one Carr, of both which I heard him give a great many of good words, and how much he was beholden to them. This wound in his body made him keep his lodgings a week, so as that Friday se'nnight which he was hurt, towards the evening he came down into the Ravelin the English guarded, and there meant to watch all night, though many persuasions were used to him to the contrary, for his strength was not fit for it, yet he would have his own will; and, to show he was strong and well, he would go to the wall to shoot off a piece: at which instant, one of the enemy's cannon gave fire and pierced the parapet, lighted on his thigh and broke the bone; so as that night, towards the morning, he died. I met him as he was coming off, and telling him how sorry I was for his mishap, he bade me farewell; told me he was a dead man, and would prepare himself for it. One of his servants came to me in the night, and desired me to come to him. It was then so active a night I durst not be from my business, for the enemy's approaches and our works were so near, as the enemy durst not work but by driving in of our sentinels, and making a continuance of assaulting us, which they did seven or eight times that night, so I could not then go to him, because I did imagine he might have something to speak

about disposing what he had, but he said little to him to that purpose. Towards the morning, his servant came to me and told me he was very ill, so I went to him, but found him not dead, but past speech or sense; and at the last gasp. I can only sweeten it to you with this comfort: they died with a general fame of honest men and valiant gentlemen, &c. JO. BURROUGH.

THE TRANSCRIPT OF ANOTHER LETTER, CONCERNING THE  
DEATH OF MY SAID BROTHERS, WILLIAM AND JOHN  
FAIRFAX,

*Sent by the late Earl of Cumberland (then Lord Clifford), Indorsed to my Noble  
and Worthy Friend, Sir Thomas Fairfax, at Denton.*

WORTHY SIR,

I NEVER took pen in my hand with more grief; for though the scope of my letter is to comfort you, yet are the contents so sad reports unto you of woe (declaring the death of your valiant and brave sons in the Palatinate), as I protest I sigh from the bottom of my heart at every pause, not knowing how to comfort you, being so wounded with grief myself, as it makes me begin in confusion. The brave sallies out of Frankendale were so often made with success by them, as I think it is impossible for time to survive the honourable memory of them as for tears to restore again to life the noble executioners of them; for (with the loss of fourscore of our men) there were slain above two thousand of the bravest Spaniards which Spinola left behind him in the Palatinate, and made still good the town till my Lord Vere and Count Mansfield raised the siege; but (alas!) two or three days before the relief, one of yours (John) was slain, with some sixteen more surprised by the enemy, upon the outworks, who cut them to pieces, when they had scorned to accept of the enemy's offer of safety, if they would yield themselves prisoners. The brave captain (as my informer tells me) two days after, being in the trenches, had his thigh took from his body with a cannon shot, but lived a day and a



half after, in which time he acted the part of as good a Christian as he had before of a successful commander, so as the happiness of his soul must necessarily extenuate the loss of his life, the one crowned with honour, the other with eternal blessedness. Their never-dying virtues of valour and Christianity came to them by descent from your Christian and valiant self; as you gave them to him, so now I beseech you make use of them when God has taken him who was the great giver of them to you and him. Bearing this blow with a Christian valour, which I pray, may overcome the great grief in losing two such inestimable jewels, the honour of our time and kingdom. In this hearty prayer to you and to God for you, I rest,

Your afflicted and faithful Friend and Servant,

HENRY CLIFFORD.

A monument was erected to the memory of these valiant young Englishmen in the church at Frankenthale, and the inscription has been copied and preserved by their nephew, Brian Fairfax.

In the Dutch church at Frankenthale, in the Lower Palatinate, upon a fair monument erected in memory of my two uncles, William and John Fairfax, slain there, is this inscription :—

IN GRATISSIMAM MEMORIAM  
 DOMINI GENEROSI WILLMI FAIRFAX,  
 ANGLO-BRITANNI, HONORATISSIMI DOMINI  
 DNI THOMÆ FAIRFAX DE DENTON,  
 IN COM. EBORIENSI EQUITIS AURATI FILII,  
 COHORTES ANGLICAN. DUCIS INSIGNIS,  
 QUI ANNOS NATUS CIRCITER XXV.  
 POST ANIMI PLURIMA EDITA TESTIMONIA INVICTISSIMA,  
 UNA CUM FRATRE SUO JUNIORE IN OBSIDIONE FRANCOVALENSI  
 HIC (FACTÂ IRRUPTIONE) ABREPTUS  
 ILLE ICTU BOMBARDÆ PERCUSSUS OCCUBUËRE.  
 ANNO MDCXXI.

Upon the inauguration of this monument a great assembly of the people, soldiery, magistrates, and burghers took place ; and a commemoration sermon was delivered by Mr. French, William Fairfax's chaplain. When Frankenthale was re-delivered, three years afterwards, Spinola marched out of the town at the head of his forces, but finding none of the King of England's army ready to enter, he returned, and, taking possession of the place, pulled down the English arms, and replaced them by those of the King of Spain. Yet even at this moment of excitement, when every other memorial of the English was treated with contumely and opprobrium, Spinola spared the monument of the two Fairfaxes, which was afterwards honoured and preserved by the Prince Elector of the Palatinate.

A picture of John Fairfax, with one eye, was hung in the gallery at Denton. Brian Fairfax furnishes the following particulars.

On his picture at Denton:—"Captain William Fairfax, third son of Thomas Lord Fairfax, of Denton, who with his brother John died honourably in defence of Frankendale, in the Palatinate, where a grateful monument is erected to his memory."

A<sup>o</sup>. { Dom. 1621. }  
           { Ætat. 28. }

At the sight of this picture the generous Prince Rupert, who lay at Denton, in his march to York, Anno 1644, commanded the house should not be injured for his sake.

Such force hath gratitude in noble minds,  
 Such honour even Virtue's shadow finds.

B. F.

In the same year, 1621, Sir Thomas Fairfax had the

misfortune to lose two other sons, who were also serving abroad ; Thomas, who was killed in Turkey, and Peregrine, who was slain under the walls of Montaban. The particulars of this latter circumstance have been variously stated, and as the family considered it necessary at the time to investigate the facts, under a suspicion that Peregrine Fairfax had been treacherously dealt with, a relation of the details will not be uninteresting.

During the siege of Rochelle, one Hicks, an Englishman, undertook the dangerous enterprise of conveying a letter from Rochelle to Montaban, through the camps of both armies, in order to encourage the garrison of Montaban to hold out against the assaults of the enemy, by apprising them of the good condition of the Rochellers, notwithstanding the large force by which they were surrounded. Hicks, who was a man of great nerve and daring, made clear his passage through the army before Rochelle, and arrived in safety at Thoulouse, where the Viscount Doncaster was ambassador from Charles the First. Here he joined the English, and fell in amongst the rest with Peregrine Fairfax, who belonged to the train of the ambassador. Finding young Fairfax of a bold and gallant spirit, and being anxious to have a companion with him in the perilous business he had undertaken, Hicks persuaded Peregrine to ride with him to Montaban. It being known that they were of the ambassador's train, they obtained free access to the works and avenues, Hicks all the time secretly watching his opportunity to fly into the town. According to the reports which reached England of this transaction, Peregrine Fairfax was entirely ignorant of the mission upon which Hicks

was engaged, and was merely made use of by Hicks as an instrument through whose unconscious assistance, as a member of the ambassador's retinue, he would be the better enabled to effect his object. While they were both in the outworks amongst the troops, Hicks saw a favourable moment for the execution of his design ; and, upon the instant, putting spurs to his horse, got off into the town through a shower of bullets, leaving Fairfax (astonished at the suddenness of the action) to fall a victim to the rage of the French soldiery. Their first impulse, after stripping him of his coat and pocket, was to kill him, but he drew his sword, and, making a desperate struggle for his life, was covered with wounds, and carried away into Montaban, where he lingered for a fortnight.\*

Some three years afterwards Hicks returned to London, and the moment Ferdinando Fairfax heard of his arrival, he sought an opportunity of obtaining satisfaction for the grievous wrong which he believed had been committed upon his brother. Obtaining an interview with Hicks by means of a stratagem, he finally received such an explanation as, if it did not wholly satisfy him, was at least sufficiently sustained by evidence to deprive him of any further right to seek redress from Hicks. The statement made by Hicks, and supported by the testimony of a Mr. Webb, (who was on close terms of friendship with Peregrine Fairfax), was to the effect that before Hicks took Peregrine Fairfax to Montaban, he informed him of the nature of the enterprise, and that Peregrine voluntarily

\* Howell in his *Epistles* says that Peregrine Fairfax died of a fever at Moys. This is a mistake.



entered into the design with him. The facts are fully stated in the following narrative in the handwriting of Ferdinando Fairfax, and in the subjoined statement, bearing the signature of Mr. Webb.

CONCERNING THE DEATH OF MY BROTHER PEREGRINE,  
VARIOUSLY RELATED IN SEVERAL HISTORIES IN PRINT.

TAKEN OUT OF THE HANDWRITINGS OF MY BROTHER FERDINAND LORD FAIRFAX.

THE third of June, 1624, I sent my servant to inquire for Mr. Hicks, that was come out of France, who having found him out, (pretended to speak with him from one Sir Edward Brown,) got a sight of him; who not knowing the party, said that he must needs go out of the town that night at four of the clock; which news he bringing me, I went instantly to Paul's, and walked there, wishing him to let Hicks know the gentleman was staying there for him, which he did, and then instantly he came, where finding me, I asked his name, and afterwards told him mine, and that I was brother to that unfortunate gentleman on whose miserable death he stepped to that little honour he had gained, by betraying him. He told me he did honour my name, and was sorry for the loss of that gentleman, which was so dear a friend to him, and that he did not betray him. To which I answered, that such was the best information I could receive from any, and therefore I was come to demand satisfaction of him by the sword. He said, "Sir, I am but a scrivener's son, yet my reputation is dear unto me. If I cannot give you satisfaction of my fair carriage of that business, I must satisfy you otherwise; but let me tell you how it was." Whereupon he began a discourse, showing that my brother did know of it from the beginning, and was a willing assistant to him in that enterprise. This altering the case (if it were true), made me require some more proof of it than his own words: whereupon he told me that one Mr. Webb, (a gentleman that was

my brother's dearest friend,) then in town, would justify it, and that he would come with him to-morrow morning to my chamber to satisfy me. This was the effect of our then words, save that in his discourse he seemed to lay some hard usage of the Earl of Carlyle's towards my brother, in delivering him so easily to be examined. The next morning he came with Mr. Webb, who justified that part of my brother's knowing it, as also some particulars of Hicks his fair carriage of the business. But (because words might be forgotten) I required it of Hicks in writing under his hand; and so giving him pen, ink, and paper, he wrote the declaration of the carriage of it, which Mr. Webb affirmed before Sir Thomas Belasis voluntarily. But because I could not exact anything from him by way of satisfaction, nothing remains from him for confirmation save what he said to Sir Thomas Belasis, upon his faith and credit, refusing to set anything under his hand at that time, because he would not seem questioned in the like manner with Hicks; yet since, by a letter to me, as may appear hereafter ensuing, he hath confirmed it.

FROM MR. WEBB TO SIR FERDINANDO FAIRFAX, KNIGHT.

SIR,

BUT to satisfy your request (who I desire in what I am able to serve, and to excuse a guiltless person wronged by misreport), I should have been loth to have entered into the repetition of that which I shall ever sorrow to have known. The relation which I made you in your chamber is all which I can say, that your brother was not ignorant of Mr. Hicks his purpose. This I am able to write upon my credit, since from his mouth I first received knowledge of it. What persuasions I used to dissuade from that action (especially your brother from accompanying him) need no iteration, since so much is set down by Mr. Hicks, who advised him to take the course he liked best, and was most secure. In him, therefore, (if there was any fault,) it was of ignorance, not of

malice. He deserved too well of all to be so treacherously dealt withal by any, especially by one whom he loved, and of whom he received, whilst I lived in their company, requital of the best nature. When you lost your brother I lost my friend, which, if it be not equal, it is next to kindred. Therefore if I had thought he had been betrayed, or not been assured of the contrary, till I had known one dearer in his love, I should have thought none more engaged in demanding of him than myself. Though I scarce know where since, (though he was taken prisoner,) yet he was safely delivered into my Lord Ambassador's house, where the past danger could not terrify him, that showed so much manly resolution in the midst of it; then did he suffer under no meaner a hand than the Almighty's, with whom he rests. Perhaps, sir, you may find many more large relations of this sad story, though none more true; I must confess I take no pleasure in it, therefore you may be assured to find no additions; and the respect which I owe unto his memory is of more force to bar me the concealing of anything which may do him right than all the world besides. Esteem thus then, sir, of this I write, and I shall think myself beholden for doing you service, and ever rest,

Your servant,

THO. WEBB.

*London, this 13th of June, 1624.*

Mr. Webb told me (F. F.) that Hicks had no letters or employment from Rochelle; and if he had any, they were delivered to my Lord Ambassador, who read them, and advised him to go without them, for he had better carry the effect of them in memory than the words themselves, the which (if they were taken with him) would doubtless take away his life. He said that my brother Peregrine, when he was taken first by some musketeers, they took from him a red coat lined with fur, and laid with gold buttons, as also his hat and feather, and put their hands into his pockets, taking

out his money, which when they had done (and perceiving him a follower of the Ambassador's), feared to be questioned. One of them cried, "Let us kill him;" whereupon one other of them laid a musket to his breast to have shot him instantly, which he perceiving, cast it up with his hand as he was giving fire, and the bullet by that means went over his shoulder, but the powder burned his face very sore. Then he drew his sword and said, "I will not die alone;" and making at them he was knocked down, when instantly there came up certain horsemen and took him from them.

Nicholas Lobby, a Frenchman that attended my said brother Peregrine at Montalban, where he died, saith that he died about fourteen days after his hurts.\*

Ferdinando, to whom this letter of Mr. Webb's was addressed, represented Boroughbridge in Parliament, but under what circumstances he obtained a knighthood, cannot be traced in any document we have had an opportunity of consulting. A variety of letters appear in the Fairfax Correspondence from Sir Ferdinando to his father, informing him accurately of the progress of public affairs; to which the following, from a different source, may here be added.

FERDINANDO FAIRFAX TO HIS FATHER SIR THOMAS FAIRFAX.

My humble duty remembered.

SIR,

THE Parliament hath now a week's rest, adjourned from Thursday last until the next: the offer made by both the Houses, I send you here a copy of. The King's declaration on Tuesday last, in the afternoon, was very full and satisfactory to our desires; but, being of that consequence, it was thought fit the committees of both Houses should

\* *Analecta Fairfaxiana.*



confer their notes, and make it perfect, which, being afterwards presented to the King, they were a little mistaken; and, thus amended, our hopes grew cooler as it was read. There is a committee of six appointed to draw the declaration—the Earls of Southampton and Pembroke in the Higher House; the two Secretaries of Estate, the Chancellor of the Exchequer, and Sir Edwin Sands, in the Lower; which declaration being drawn, is to lie by his Majesty, to be made use of as occasion shall fall out, and not otherwise. The tilting, which should have been on Wednesday last, is put off until the next. The same day the Earl of Oxford practising, his horse fell with him, and his left arm is quite broken; and yesterday my Lord Mansfield practising, his horse likewise fell; presently after his lance brake, (though not upon that occasion), and both lying on the ground, were supposed dead, but he was instantly carried to his lodgings, whither I went to visit him; and he was indeed sore bruised, especially on his left side and breast, but the surgeons feared him not; and after their help he found much ease, and I hope will not be much worse. Padre Maistre is come, and pretends he was robbed of his letters and commission in France. The Low Countries are weak, and their enemy extremely strong; but because Sir Joseph Ogle hath wrote, I shall refer those things to his better pen: what helps we shall make them, God knows; for there is nothing yet forwarded in that or any other business, though I doubt not but you have rumours enough in the country of taking arms, and instant war. Sir, I humbly desire your blessing, and rest,

Your ever obedient son,

FER. FAIRFAX.\*

*27th March, 1624.*

Of the surviving sons of Sir Thomas Fairfax, the most fortunate in his choice and mode of life was Henry,

\* From a Collection of unpublished MSS. in the possession of Mr. Bentley.

who entered the Church, and was nominated, by his father, to the living of Bolton Percy. His quiet career offers a touching contrast to the turmoil and struggle in which the other members of the family existed. He lived in seclusion, discharging the duties of his office with unremitting diligence, and reconciling all factions around him by the gentleness and charities of his life. Upon a very small fortune he enjoyed a repose and contentment which was denied to the more celebrated members of his family. His uneventful biography will be found briefly sketched elsewhere.\*

Charles Fairfax embraced the profession of the law, was a barrister of Lincoln's Inn, to which Society he bequeathed some valuable MSS., and distinguished himself by the acuteness of his intellect and the probity of his character. It was this gentleman who, from various sources, collected the "*Analecta Fairfaxiana*," so much prized by his successors ; and it may be remarked, that the care with which the family records of the Fairfaxes were preserved is almost without a parallel. In no other collection are there to be discovered such a mass of letters and documents, public and private ; pedigrees, not only of the different branches of their own family, but of all the families with whom they were connected by intermarriage ; seals, mottoes, arms, and the varied paraphernalia of heraldic honours. All the Fairfaxes contributed something towards this curious depositary, which covers a period little short of two centuries ; but Charles Fairfax, who was an accomplished antiquary as well as lawyer, laid the foundations in his own Collections, and in the indefatigable zeal with which he

\* Vol. I. p. 62.

prosecuted his inquiries. This gentleman had a large family, and was enabled, by the success with which he followed his profession, to make a sufficient provision for them. During the early years of his life, he devoted himself to his profession, but in the civil war he was tempted to accept a commission of colonel of foot, which command he executed with great reputation, acquiring the intimate friendship of General Monk, to whom he stood firm with his regiment in Scotland when the rest of the army wavered. He marched into England with Monk, and was made Governor of Hull in 1659, which he resigned to Lord Bellasis, and had a pension of 100*l.* a year out of the port of Hull settled upon him and his heirs by a patent from Charles II. He died at Menston in 1673, at the advanced age of seventy-eight.

The representation of York occasioned Sir Thomas Fairfax considerable trouble, during the period of the elections. His influence in the county drew solicitations upon him from all sides ; and in 1620, Sir Thomas Wentworth, afterwards Earl of Strafford, who does not appear to have been then on terms of personal intimacy with him, besought his aid in his approaching contest with Sir John Savile.

TO SIR THOMAS FAIRFAX, KNIGHT, AT DENTON.

SIR,

BEING at London, my Lord Clifford showed me a letter which he wrote to you for your furtherance and assistance in the choosing Mr. Secretary Calvert and myself knights for the shire. I know the power my lord hath in

you, and that nothing can be added to his, yet I must, in his absence, again very earnestly move you to make all the strength of friends and number you can, to give their votes for us at the next election, falling upon Christmas-day, the rather because the old gallant\* of Hewley intends certainly to stand, whom, indeed, albeit I should lightly weigh were the matter betwixt him and me; yet I doubt Mr. Secretary (if his friends stand not closely to him) being not well known in the country. Sir, you have, therefore, hereby an opportunity offered to do us all especial favour, which shall bind us to a ready and cheerful requital when you shall have occasion to use any of us. My Lord Clifford will be, God willing, at Tadcaster upon Christmas-eve, about one o'clock, where I assure myself he will much desire that yourself and friends will be pleased to meet him, that so we may go into York together; and myself earnestly intreat the company of yourself and them the next day at dinner, which I shall esteem as a double favour. I will here end your further trouble, and approve myself, when you shall have occasion to make use of my love and respect,

Your right assured and affectionate friend  
to be disposed,

TH. WENTWORTH.

*Wentworth Woodhouse, December 8th, 1620.*

Sir Thomas afterwards stood for the representation with Wentworth, but was thrown out. The state of the country, and the conduct of the Saviles, are detailed in the proper place in the course of the succeeding volumes.

A close friendship, originating in these circumstances, afterwards grew up between Sir Thomas Fairfax and Wentworth.

We will take this opportunity (with a little violence

\* Sir John Savile, of Hewley.



to chronology) to introduce some letters of Wentworth's, relating to domestic matters in his own family, which have not been published before, and which, although they do not concern the immediate subject of these memoirs, will not be unacceptable, as an illustration of the character of a remarkable man in an interesting aspect. His brother was a suitor for the hand of Lady Jephson's daughter, "Mistress Ruisshe," to whom he was afterwards married ; and this correspondence discloses the whole of the negociations through which the marriage was finally brought to bear. The careful judgment and gentlemanly spirit of Wentworth's letters, on a matter which required to be treated with prudence and delicacy, cannot fail to excite admiration.

## TO LADY JEPHSON.

MADAM,

I JUDGE it not in me civility, when my brother hath twice waited upon your Ladyship's daughter as a suitor, and with courtesy received by your Ladyship at your house, I should be silent the whilst and not acknowledge the trouble this hath been to you, and the favour you have nevertheless afforded a young man in the way, as much of his contentment (I assure you) in the merit and virtue of Mistress Ruisshe, as for the bettering of his future fortune. I confess her portion is a noble one, and he a younger brother ; but let us be fairly understood, I beseech you, on our side too, and that we are not in that straitness of fortune, as to value any conditions equal to the love and estimation we are to have of the person of her we covet for a wife, and that if my brother did not value your daughter far more in this than in that other worldly respect, he should neither have had the will nor necessity to have sought the favour of Mistress Ruisshe, which now, it is true (so as not to be denied), such

power hath your daughter's perfections of nature and acquisition gotten over him, as I find he is above all measure ambitious to be accepted by her in that way of faith and affection wherewith he waiteth her good pleasure and the happy hour wherein she may be pleased to express herself for him: and, in this regard, finding him thus engaged, I must entreat your Ladyship's good word, upon this assurance and ingagement of ours, that if it be in our power to merit such a trust from you, so precious as such a daughter must needs be unto you, we both will endeavour to make her happy in the course of her life among us, even to the uttermost that our respects, affection, and means shall anyways enable us unto. She shall be ever to me and in my house, in every degree, as my own daughter; and, for him, if he prove not extreme kind and good unto her, he should be that which he is to no other friend he hath in the world; and this I will be able to say, that if he die the next day after she hath done him the honour to marry him, yet shall he leave her three thousand pounds better than he found her, which is no contemptible jointure, nay a better than most women have, who for the most part think themselves not ill dealt with, if their husbands leave them a preferment worth the portion they brought. But I affy his hope, and so doth he too, more upon her favour towards him, than anything else he hath which might persuade her, and much rather I desire he may acknowledge it thence than any other way, and that he may treasure up the dear remembrance thereof in his heart, to be the faithful witness unto him of those great duties he is to pay her back again all the days of his life, wherein if I could hold him so unworthy as that he would not discharge them with all possible hallowed care and circumspection, I should not at all acknowledge him for my brother.

Madam, I fear I weary you. In a word, therefore, all those good respects you shall be pleased to express for my brother in the furtherance of his suit, I shall acknowledge

them by the best of my services in all those things where I may have the happiness to be commanded by you, in the quality and belief that I am,

Your ladyship's faithful and humble servant,

WENTWORTH.

*Dublin, Aug. 21, 1634.*

Madam, I do extremely thank your ladyship for the good advice you gave my wife touching my little poor daughter, who, God be praised, hath found much amends by it, and her legs growing, as they tell me, much straighter and stronger.

TO LADY JEPHSON.

MADAM,

I AM to give you many thanks for the good reception I understand you have given my brother, in his suit to your virtuous daughter; and as this proceeds from that generous and noble disposition the world witnesseth for you, so shall it be valued, and returned you back by us, with all service and desires to become in your opinion persons capable the greatest trust your daughter hath to bestow upon us. Believe me, Madam, with so much respect and tenderness shall she be received into this family, in case she vouchsafe to entrust herself with us, that I am most confident not only she, but your Ladyship too, and her other friends, shall one day acknowledge to me, she was happily bestowed upon my brother; and that by his faith and love he hath better deserved her favour, than, it may be, a man of much better fortune might have done; and yet, fortune moderate, I will see, he shall come to Mistress Ruisshe withall; and justly will I perform every word I have spoken, from the first to the last, in this business; and not rest there neither, but go on with the firm and constant duties of a friend towards Mistress Ruisshe, equally after as before marriage; and not to her alone, but likewise to her friends, and amongst them, show your

Ladyship, in particular, how kindly I take your noble usage of my brother, and how perfectly I shall abide in all things,

Your Ladyship's

Most faithful friend and humble servant,

WENTWORTH.

*Dublin, this 26th of September, 1634.*

SIR,

As unto yours of the tenth of the last month, I have not much to trouble you withall, more than this, that I can truly say, there hath been no variation in my propositions concerning the fortune. I would see my brother provided of, from the first hour. Mistress Ruisshe was pleased to admit me to move it unto her, till this very moment; and those things I undertake and promise, I pursue with so intente and hallowed a care, that I shall be beholden to you or any other friend Mistress Ruisshe shall like to employ in the settling this estate, to make all the objections that may be, for which I assure you I shall render you many thanks; for I desire nothing more than that the land may be full as beneficial and sure to them as is propounded; and if it be not so, if all the estate and fortune I have in the world may be able to make it good again, I will not fail to see all performed to her full contentment, for I purpose not to be guilty to any, much less to a sister-in-law, of a breach of trust in any kind.

For the lease you mention now made to Sir Robert Loftus, I can not see any reason as yet under your favour to alter my opinion, for I still conceive the right of the ancient tenant to be with the heirs of Sir Francis Ruisshe; howbeit, this is not much in the case neither, for as I formerly writ unto you, if I had not interposed, a stranger had carried it from you all, so as in effect it was a curtesy by me done for Sir Robert Loftus, or more truly for my lady and her children, without any more loss to you, than had befallen you howsoever.



But where you mention a wrong done hereby to my lady, your wife, surely I should be very sorry to be accessary in such a crime, she being a person that in good faith I have in very great esteem, and shall be very ready to serve in anything, wherein she may be pleased to command my service, but the same way of justification I make formerly, I make for myself in this also; it had gone from her altogether, if I had not interposed, and thus it goes no farther from her than her own daughter and grandchild, which I conceive with the affections of a mother, will not be taken for an unpardonable fault.

As for all things which may concern the happy proceedings and dispatch of this treaty to the satisfaction of all friends equally minded, and towards the future comfort of the young couple, I assure you I will be no more a wanting unto them than to my own life, nor give any delay in the full discharge of all which belongs to me; the rest I must leave to the good blessing of Almighty God, and the favour and good acceptance of Mrs. Ruisshe, trusting my brother may by his virtuous respect and usage of her one day make it appear her love was bestowed upon a gentleman that was far from undervaluing it or her, but that he held them both the dearest things to him that might be, of more value than all the world besides. I fear I grow wearisome, and therefore I will quickly come to an end of this letter, writing myself,

Your affectionate friend,

WENTWORTH.

*Dublin, this 19th of November, 1634.*

DEAR MISTRESS RUISSHE,

ALL the writings, now perfected, which are to pass the lands for your security, according to my articles, I here send you, that you may both see them, and the money they cost me; as also that, by comparing them with the articles, you may see whether all the parcels, by me undertaken with

your brother, Mr. Gifford, be not really and *bond fide* contained in these writings; and the writings of estating them upon you back shall be ready to be sealed and delivered unto you, upon your coming to town. Howbeit, these winds are still so westerly, as the letters, and with them the præcipe for taking the fine from you and my Lady Loftus, is not yet arrived, and before that come it will not be possible fully and finally to settle this business; no sooner shall I receive it but instantly I will advertise you of it. I have showed the writings to my Lady Loftus, and desired her ladyship to send them unto you. When you have satisfied yourself out of them, you may either bring them with you to town, or deliver them my brother to keep till we meet next, God willing. I pray you tell my brother Richard, Marris is dead, —most unfortunately lost betwixt Ferrybriggs and Woodhouse, which, for the present, puts me to a very great trouble in my affairs, and grief for his loss.

God Almighty give you ever of his best blessings, and foremost comforts, and so I rest,

Your most affectionate faithful servant,

WENTWORTH.

*Dublin Castle, this present Friday, 1635.*

MY DEAREST SISTER,

YOUR husband writes me how he is to wait of my Lady Loftus to Clones, but I trust you do not adventure yourself such a journey, for then in his absence you will be at better leisure to look over a letter from your other friends. My brother tells me you much desire to have the picture you were pleased to command of me: indeed it is done, and ready to be sent you into Ireland; and be you assured I will neither forget this your first request, nor any other hereafter, wherein you shall call upon my furtherance in any of your purposes: if the picture prove but as good as costly, it will not be unlike me.

You must do me the favour to get the inclosed safely

delivered to your husband, there being part of it in answer of what he wrote to me concerning my brother William, and part concerning the business of my lady your sister.

There comes along four pies of venison for my Lady Loftus; if you can find a means to send them, I shall be beholden to you for it.

The next that you hear from me will be, I trust in God, in Dublin Castle, where I am already very much in my thoughts, and in them never unmindful of you. Wishing you strength and health—strength to bring forth your first-born, and health many years after—with all the happiness and contentment your own heart can desire, whereunto I shall not fail lastingly to contribute the best and most affectionate endeavours of,

Your most faithful brother and servant,

WENTWORTH.\*

*Wentworth, this 11th of September, 1636.*

We are not aware to what circumstance the following bantering little note, from Henry Lord Clifford, refers; but its good-humour and its ellipses (both in a great hurry, not to keep footman waiting) entitle it to a place. It is without a date, but must have been written before 1627:—

TO MY WORTHY AND MOST AFFECTIONATE FRIEND,  
SIR THOMAS FAIRFAX.

WORTHY FATHER TRISTRAM,

I HAVE read your pleasant lines; and if your footman would but have staid, I assure I would have been as pleasant as ever I was in writing; but I will be shortly out of your debt in the same kind.

My brave old lad kicks at the gout; and rest assured I

\* These letters are from Mr. Bentley's Collection.

would not quit your good company this summer for the fairest mistress on the other side Trent. Your footman desires my despatch ; and though I am loth to break off my discourse with you, yet will I favour his legs so much as bid you abruptly farewell.

Yours, while he lives one hour,

HEN. CLIFFORD.

*Londesburow, this Sunday evening.*

I shall put in your gold into the bank, and I hope I shall many years get the increase of it. My Lord stands by me while I write, and commands to tell you he is proud of his ranger.

There are many documents scattered amongst the Fairfax papers which demand a place from their intrinsic interest, but which do not directly apply to the family history. The following appeal of the University of Cambridge for permission to allow their carrier, Thomas Hobson, to ply with his waggon between Cambridge and London, notwithstanding the prohibitory proclamation of the King, is of this nature. The substance of this petition is curious enough to justify its insertion, without looking for any better apology. This Hobson was rather a famous man in his day, and after making a large fortune by great frugality and industry, perpetuated his memory by building a stone conduit at Cambridge, which he supplied by an aqueduct, settling "seven lays" of pasture ground towards its permanent maintenance. To him is attributed the origin of the phrase "Hobson's choice," which arose in this way. He kept a stable of forty horses, always ready for travelling ; but when any one came to hire a horse, he was



not allowed to make his selection, but obliged to take the horse that stood next to the stable door. In fact, he had no choice, and hence the phrase "Hobson's choice." There is honourable mention in the "Spectator" of this celebrated carrier, who died in the time of the plague, 1630, in the eighty-sixth year of his age.

TO THE RIGHT HONOURABLE THE EARL OF HOLLAND,  
CHANCELLOR OF THE UNIVERSITY OF CAMBRIDGE.

*Petition of the University of Cambridge to Henry Earl of Holland, Chancellor of the University, that their Carrier, Thomas Hobson, may be allowed to travel with his Waggon as usual, notwithstanding the King's Proclamation.*

RIGHT HONBL. AND OUR SINGULAR GOOD LORD,

WE are earnestly requested by our trusty and ancient carrier, Thomas Hobson, to be humble petitioners that your lordship will be pleased to procure him a toleration to travel between Cambridge and London with his waggons with four wheels, without incurring the danger of the penalty mentioned in his Majesty's late proclamation. Upon his information we have well considered of those inconveniences which will happen to his Majesty and the University carriages, without those waggons be suffered to go as they have done; for, first, it is impossible for him to carry from us to London those great vessels of fish for provision for his Majesty's household; secondly, the passengers, whereof most are scholars, women, or children, that travel to or from in them; thirdly, books, trunks, and other necessaries for our scholars, without danger of overthrowing, and great loss and spoil of such things as are committed to his charge in them: all which have heretofore been safely conveyed at reasonable rates from the city of London hither, and so from us to that place, covered, and by him secured from harms and damage to the persons and owners; which

cannot possibly be undertaken in carts, without greater charge and inevitable danger; the ways being deep in winter, and the carts more subject to overthrowing, and so spoiling of the owners' goods, and endangering the lives of those that pass in them. This our request for him, and that petition concerning this matter, which we are informed he hath lately delivered to your lordship, we refer wholly to your wisdom, and that honourable care and favour which you have always had, and showed to us and those which anywise do good, or wish well to this University, or any the members of the same. So with our most bounden thanks for all your lordship's most noble and honourable favours to us, we beseech you still to continue as ever heretofore, our most worthy patron and protector; and with our hearty prayers to the Almighty for your long life and happiness, we rest,

Your Lordship's most humble servants, &c.

The great event in the life of Sir Thomas Fairfax was now approaching—his elevation to the peerage. This honour was not unsought. He had served his country in various capacities, in the field and in the council, had given "hostages" to the state, and discharged, with credit, the onerous duties of his position in the North. His rewards had not been equal to his labours; and he felt that he was entitled to some mark of distinction, by which he might be able to transmit his name with advantage to his family. He accordingly put forward his claim to a peerage, founded upon his public services, but sustained, it must be admitted, by a still more tempting consideration, in the shape of a handsome sum of money, which he was willing to pay for the honour. The negotiations were speedily concluded, and Sir Thomas Fairfax, upon payment of 1500*l.*,

was raised to the peerage, with the title of Lord Fairfax, of Cameron.\* He lived many years to enjoy his dignity, and died in 1640, at the advanced age of eighty.

The character of this, the first Lord Fairfax, was that of a man of good sense and honourable dealings. In his domestic relations he fulfilled his responsibility with discretion and constancy ; and his public reputation was unblemished. He was fond of retirement ; is said to have taken great pleasure in breeding horses, and displayed his knowledge of the subject in an elaborate treatise, entitled "Conjectures about Horsemanship ; what lessons the breed of each kingdom or country is fitted for, &c." He also wrote other works, chiefly on military subjects, and left behind him a collection of prayers, and sundry verses written in his own hand.†

He was succeeded by his eldest son, Ferdinando, to whose proceedings in Parliament and in the field such frequent reference is made in the succeeding volumes, that it will not be necessary to occupy much space with an account of him here.

A family dispute arose out of the will of the late Lord Fairfax, which entailed much litigation upon his successor. A third part of the personal estate was claimed by Mr. Henry Fairfax and his sister, but Ferdinando, Lord Fairfax, put a different construction upon the will, and refused to accede to their demand. Lawyers' opinions were taken on both sides, and, as is common enough, diametrically contradicted each other. The adjudication, however, was in just hands, for Lord Fairfax was a man of strict integrity, and desired on this occasion, as on all others in which he was engaged,

\* Vol. I. p. 14.

† Vol. II., p. 40.

to consult the justice rather than the technical merits of the case.

The numerous letters of Lord Fairfax scattered through these volumes display a steady capacity for parliamentary business. He was a thoughtful observer of the busy scenes in the House of Commons, of which he became a member (for Boroughbridge) early in life ; and although he never distinguished himself in the debates, he was evidently held in considerable estimation by the Protestant party, to whose interests he was attached. Upon the breaking out of the civil war he was appointed general of the Parliamentary forces for the associated county of York ; and the energy he displayed throughout the harassing campaigns in which he thus became engaged, proved that the choice of the Commons in that grave emergency was not misplaced.

His father had never entertained a very high opinion of the talents of Ferdinando. He thought he was well fitted for the bench of justices, a duty which he discharged with zeal and good sense, but that he was deficient in the intrepidity necessary to the conduct of military affairs. The sequel showed that this estimate did injustice to the merits of his son.

Lord Clarendon represents Ferdinando, Lord Fairfax, as having been “ actively and factiously disaffected to the King.” In the same sense the Parliament of England on whose side he fought, might be said to have been disaffected. It must be remembered that this branch of the Fairfax family had suffered for their principles in the person of Sir Thomas Fairfax, the father of the first Lord Fairfax, who was disinherited for his adherence to the



Protestant faith, and that his successors paid the penalty of martyrdom in the narrowness of their estates. This was not very likely to reconcile them to the arbitrary attempts of Charles I. to levy burthensome imposts upon his subjects, and chiefly upon the gentry, already impoverished by the pressing necessities of the State. They were naturally allied with the popular party; but the formidable resistance which this influential family offered to the progress of the King in the North was strictly confined to the field of battle to which the King wantonly challenged the people; and, from the first to the last scene of this disastrous conflict, they never favoured the intrigues of faction. If all men at both sides had acted with equal candour and magnanimity, the country would have been spared much bloodshed and calamity.

The first action in which Lord Fairfax was engaged took place at Tadcaster, where he lay intrenched in December, 1642. The Earl of Newcastle, who had been one of his father's most intimate friends, invested the place with four thousand men, while the garrison amounted to only nine hundred. The town being judged untenable, the garrison drew out to an advantageous piece of ground, when a close fire was opened at both sides, which lasted for six hours. At last, growing dark, the royalists retreated into the fields, leaving upwards of two hundred dead and wounded on the ground; and the parliamentary forces having expended all their ammunition, took advantage of the night to retire upon Selby. The next morning the Earl of Newcastle entered Tadcaster.

His next engagement was, in the following January, at Nantwich, in Cheshire, where he completely routed

Lord Byron at the head of a large body of Irish, who had just landed to reinforce the royal army. The slaughter upon this occasion was immense ; but the most memorable event of the day was the capture of Colonel Monk, who, by an extraordinary concurrence of circumstances, turned his disaster to such account, that he gained the entire confidence of the Parliamentarians, and afterwards lived to be mainly instrumental in the restoration of the Stuarts.

These successes were followed in June, 1643, by the signal defeat of Lord Fairfax on Adderton Moor, by the Earl of Newcastle. The forces were unequal, and the Parliamentary General acted with censurable rashness in risking a battle against such overwhelming odds, the Earl's army consisting of ten thousand men, and that of Lord Fairfax being only three thousand strong. The loss on the Parliament side was very heavy in this engagement.

The failure here was balanced by the defeat of Lord Bellasyse at Selby, in April, 1644, when that nobleman and 600 of his forces were taken prisoners. In the following September, a corps of 1,500 horse from Cheshire surprised Lord Fairfax's quarters at Ferrybridge, where they defeated two regiments of his horse ; but shortly afterwards, breaking through the King's troops, he forced his way to Southampton, where he was joined by the Earl of Manchester. His lordship finally commanded at the great battle on Marston Moor, which took place on the 3d of July, 1644, and after that event was appointed Governor of York.

Lord Fairfax's share in the military transactions of this period, cannot be represented in an outline of the

actions in which he was personally engaged ; but must be traced in his organisation of the forces placed at his disposal, and his disposition of their movements. All these details are fully embraced in the correspondence. He laboured, for the most part, under the disadvantage of inferior numbers ; and whatever vicissitudes attended these unequal contests, arising frequently from the unavoidable precipitancy with which they were undertaken, history must do justice to the courage and constancy of his conduct.

Ferdinando, Lord Fairfax, was married, as has been already stated, to the Lady Mary, daughter of Lord Sheffield. By this lady he had issue, first, Thomas, afterwards third Lord Fairfax ; second, Charles, a colonel of horse, who was slain at the battle of Marston Moor ; Ursula, who died unmarried in the 18th year of her age, and was buried at Bishop Hill in York ; fourth, Ellen, married to Sir William Selby, of Twisle, in Northumberland ; fifth, Frances, married to Sir Thomas Widdrington ; sixth, Elizabeth, married to Sir William Craven ; seventh, Mary, married to Henry Arthington, Esq. ; eighth, Dorothy, married to Sir Richard Hutton, of Popleton, Esq. Lord Fairfax afterwards married Rhoda, daughter and heiress of Thomas Chapman, Esq., and widow of Thomas Hussey, Esq., heir-apparent to a Lincolnshire baronetcy. By this lady he had issue Ursula, who was born a fortnight before his death, and was married to William Cartwright, of Aynho, Esq.

The name of Ursula frequently occurs in the Fairfax family. Amongst the children of Lord Fairfax, whose names are given above, we find there were two Ursulas. Sir Philip Fairfax, who married Lady Frances, daughter

of Lord Sheffield, and sister of Lady Fairfax, also had a daughter whose name was Ursula.\* We are enabled to supply an interesting little episode concerning this lady. She was a person of a serious and virtuous character, and inspired with an ardent attachment for Mr. James Chaloner, who was a member of Parliament, and deeply engaged in the political movements of the time.

In the following letter Mr. Chaloner chides her lovingly for not answering his frequent letters, and urges his suit with a graceful tenderness which is very charmingly expressed:—

TO MRS. URSULA FAIRFAX.

DEAR MISTRESS,

NOTWITHSTANDING my many employments, which might plead an exemption from weekly travail in writing, I cease not to woo you as seriously and more affectionately than when I first became your petitioner, and for your part with as much tacitness when I consider my five for one, as when I was (as then I was) no better than odious. I would fain, if I knew how, salve the interruption of content which this silence of yours hath bred in my mind. I frame many causes; but, because there is no infallibility depends upon conjectural fancies, I remain restless, thoughtful, discontented: not that I fear any coldness in thee, having had evident proof of thy temper, thy love, but that which troubles me is chiefly, that thou thinkest I suppose that I should

\* Anthony Wood says she was the daughter of Sir William, and granddaughter of Sir Philip. We adopt the pedigree given in the "*Analecta Fairfaxiana*," which we take to be better authority. Sir William had no daughter of the name of Ursula, and, if he had, she must have been too young at the date of these letters to have attracted the attention of Mr. Chaloner.



value the frequency of letters (as tradesmen do a plentiful commodity) at a low rate. No, sweet mistress, if you conceive so you will mistake ; for if such things as conduce to a man's happiness can be entertained with satiety or loathing, then verily you may conclude with your practice. But I know you have a rational brain, and a constant kindness of disposition towards me, which will neither permit you to err nor forsake. In the assurance whereof, and with a longing and insatiate desire to hear weekly from thee, though but a word at a time, so that it be a loving one, I rest,

Your most faithful, most obedient,  
and most affectionate servant,

JAMES CHALONER.

*London, 18th Nov. 1633.*

Mr. Attorney, and some other eminent practisers of the law, are very instant with the gentlemen of the Inns of Court to entertain the desires of the Lords of the Council signified to them for a masque this Christmas at Court ; so there is made a great levy in the four houses of four thousand pounds for this purpose. There must be sixteen masquers, four of a house, the charges of whose masquing clothes shall be borne at the public cost, and twenty-five gentlemen of each house bravely apparelled, to ride to the Court with them, all at their own charge, the King only allowing them his great horses.

The Duke of York is not yet christened, and it is not known when he shall be. The godfathers are to be the Count Palatine with the Prince of Orange, the godmother the Queen of Bohemia.

The last week one Bowyer was sentenced\* to the pillory, and perpetual imprisonment in Bridewell, for uttering at Reading (where my Lord's Grace of Canterbury was born) divers scandalous reports of his Grace: as that he was an Arminian ; that he had written to the Pope promising his

\* *Censured* in the original.

assistance for the propagation of the Roman faith here ; that he held that the Virgin Mary's midwife interceded for us to God ; that the Virgin Mary was no human creature ; and that he preached a sermon before the King in Scotland which was fitter to have been preached before the Pope : and lastly, that for these he was confined to Fulham House, which belongs to the Bishop of London, and twelve of the guard appointed to watch him by day, and as many by night.

J. C.

There is another letter dated two months later, in which he alludes to the re-payment of a sum of money she had advanced or lent, and tells her that he is on a visit to the Fleetwoods, who toast her at every meal, even the lady of the house drinking to her health. His father, Sir Thomas Chaloner, had married the daughter of Sir William Fleetwood, recorder of London, and the Fleetwoods were consequently his cousins.

TO HIS ENTIRELY LOVED AND HIGHLY-HONOURED MISTRESS,  
MRS. URSULA FAIRFAX.

DEAR MISTRESS,

I HAVE procured of my Lord Fairfax the courtesy to return you your forty pounds, which his steward will pay unto you upon the receipt of the inclosed letter. My cousin Fleetwoods (with whom I am yet, and shall continue until Wednesday next,) drink unto you every meal ; so doth also the lady of the house ; and they have all enjoined me to present their faithful services unto you. The last week I wrote unto you, and making a false computation of the time, my letters came to your hands even upon Twelfth-day, amidst your most jovial pastimes, it being the breaking-up of the holidays ; but I know you desire to hear from me at

all seasons, so that no time will be unseasonable for that purpose; neither is it needful, then, that I make any apology for so doing.

Mistress,

I am thy most faithful, most obedient,  
and most affectionate Servant,

JAMES CHALONER.

*Woodford, the 5th of January, 1634.*

The old Countess of Leicester, deceased upon Christmas-eve.\*

This James Chaloner, whose gentle attachment it is pleasant to know was finally rewarded by the hand of the lady, received his education at Brazennose College, in Oxford, and afterwards studied at the Inns of Court. He cultivated various branches of learning, distinguished himself as an antiquary, and was author of a "History of the Isle of Man." Being a member of the Long Parliament, and much mixed up in their transactions, he was appointed one of the Commissioners of the High Court of Parliament to try the King; but after having attended nearly every day at the commencement of the proceedings, he withdrew from the later sittings, and was not present when the sentence was pronounced, nor did he attach his signature to the warrant for his Majesty's execution. In consideration of this latter circumstance his life was spared at the Restoration, but his estates were forfeited. His brother, William Chaloner, who was also one of the Commissioners, went to the utmost extremity with Cromwell's party, and signed the warrant; and upon the return of

\* These letters are from Mr. Bentley's Collection.

Charles II., after an ineffectual attempt to make his peace at Court by the publication of a paper, called "A Speech, containing a Plea for Monarchy," he prudently withdrew to Holland, finding himself excepted out of the Act of Oblivion. He died soon afterwards at Middleburg, in Zealand. James Chaloner did not live long to enjoy the royal clemency. He died in 1661.

The following poem, written in an elevated and somewhat fanatical spirit, by a parasitical follower of an unprincipled politician, is illustrative of another incident in the Fairfax family. It is addressed to Sir Thomas Widdrington, on the occasion of the death of his wife, the third daughter of Lord Fairfax.

TO SIR THOMAS WIDDRINGTON, KNIGHT,

UPON THE DEATH OF HIS DEAR CONSORT, THE LADY FRANCES, DAUGHTER OF  
FERDINANDO, LORD FAIRFAX, WHO DIED MAY 4, ANNO 1649.

SIR, when we parted, little did I dream  
Or muse that my sad Muse's doleful theme,  
Should be your sacred consort; but 'tis fit  
That Heavens do what they please and we submit.  
So doth my humble verse; no harsh complaint  
Or murmuring noise shall stir the sleeping saint,  
Or touch your bleeding wound. The minstrels play'd\*  
Unwelcome tunes o'er the deceased maid;  
So were discharg'd, nor suffered to increase  
Her parents' grief with mournful lachrymæ.  
'Twere not unseemly to congratulate  
Your lot, that erst enjoy'd so sweet a mate;  
Nor need you, Sir, her want so much condole,  
As joy, that once you had so dear a soul.

\* Matth. ix. 23.



Not her still presence here would us prefer  
To bliss, but blest were we, were we with her.

Her beauty was intrinsical divine ;  
Wisdom not ceruse made her face to shine.  
No pencil can her amorous shade portray,  
As she in postures of devotion lay.  
Prostrate sometimes she would (ambitious) greet  
And lick the dust of her Redeemer's feet.  
Sometimes her sharpen'd looks and piercing eye  
Wrought to the throne of grace thro' th' yielding sky ;  
Sometimes she, Israel-like, with courage rare,  
Manfully wrestled on her knees in prayer ;  
Then with intranced spirit she mounts from hence,  
And heaven's great kingdom takes by violence.  
She and her conquering brother both have fought,  
And in this island great achievements wrought ;  
He by the dint of sword prevail'd, and she  
By her incessant importunity.  
Her hands lift up, like Moses, beat our foes  
More than her brother Josuah's arms and blows.  
He towns and garrisons, she heav'ns surpriz'd,  
And truly was St. Francis stigmatiz'd ;  
Bearing the marks of her transfix'd king,\*  
Confirm'd to Jesus in her suffering.  
And you in her like suffering have sustain'd,  
Alas ! what sweetness and what honey's drain'd  
From you, while the old stock and the young swarm  
Are rent from the embraces of your arm ;  
Thus Eli's gracious daughter took her death,  
First parted with her son and then her breath ; †  
And more than her sharp labour she bemoans  
Th' ark, husband, father's loss in dying groans.  
So Israel's consort, rack'd with torturing throes,  
Expir'd, and shar'd in her first parents' woes  
And direful curse, the bitter fruit of sin ;  
Yet her surviv'd a little Benjamin,

\* Gal. vi. 7.

† Sam. iv. 20.

Some little comfort to the father's life,  
 Tho' small to get a son and lose a wife ;  
 More than ten children yet you do embrace  
 (Such Christian fortitude there is in grace).  
 A sharper cross, a rib's torn from your side,  
 And your own child, the guiltless parricide,  
 Must suffer too, and with the mother die,  
 His funeral before nativity.

One death takes two at once, one in the other,  
 Th' infant's the corpse, the tomb his labouring mother.  
 Entombed straight herself, this multiplies  
 Your loss when the issue with the phoenix dies.  
 Yet on this loss your eyes, O ! do not fix  
 Too long ; her that took twain hath left you six.  
 Admir'd bounty ! Since these olive plants  
 All grow save one, and the sweet little saints  
 Stand round about your table, where you may  
 Their mother's eye and virtue still survey,  
 And for that one which languishes to be  
 With her dear parent in eternity,  
 You willing are, and freely do resign  
 Her and your will unto the will divine.

Long may they your paternal care enjoy,  
 You their obedience and sweet company ;  
 So you in them your consort may regain,  
 And they in you their mother, so her vein  
 And yours may still derive that generous blood,  
 To them to make them great, but much more, good ;  
 And may the days which were cut off from hers,  
 Be added to your long extended years.  
 Still prosperous be your life, and late your end,  
 So prays your hearty and your humble friend,

JO. FAVOUR.\*

*Sutton, May 19, 1649.*

Ferdinando, Lord Fairfax, died at Denton, of a

\* *Analecta Fairfaxiana.*

gangrene in his left foot, on the 13th of March, 1648, and was buried at Bolton. Like his father, he had a fancy for rhyming, which he principally indulged in putting the psalms into "exact verse ;" but such leisure as he could snatch from war and country business was chiefly devoted to the study of mathematics, a subject upon which, it is said, he made considerable collections. The respectability of his character was unimpeachable. That was his highest merit ; and it was duly celebrated in an epitaph by one Mr. Thomas Calvert, of which the following lines will suffice as a specimen. The puns upon the name of Fairfax are not in the best taste, considering the seriousness of the occasion ; but allowances must be made for the good intentions of the doggrel.

"Cambden you speake too low, Britaine can tell  
 More Gloryes due vpon this name to dwell  
 Than to give Etymon from Faire bush of Haire,  
 A poor Eulogium for a name soe rare.  
 But were itt soe of ould, now Heaven's intent  
 Being to create this name an instrument  
 Of Publiq Weale declared by glorious Acts,  
 Wee wronge noe Herault to call thee FAIR FACTS.\* "

The same Mr. Favour, who, in the following year, (for we have disturbed the order of time by introducing the lady first) produced the funereal poem we have just quoted on the demise of Lady Widdrington, also brought his offering of condolence to his patron, on the occasion of Lord Fairfax's death. It is unnecessary to prepare the reader, after the specimen he has already had, for the quaint glitter and occasional barbarisms of Mr. Favour's verse ; nor to say that this long piece of fustian is inserted merely as one of the curiosities found amongst the records of the family.

\* *Analecta Fairfaxiana.*

TO THE HONOURABLE SIR THOMAS WIDDRINGTON, KNIGHT,

ONE OF THE COMMISSIONERS FOR THE GREAT SEAL OF ENGLAND, UPON THE  
DEATH OF THE RIGHT HONOURABLE FERDINANDO, LORD FAIRFAX.

I promis'd you a verse ; my duller mood  
Makes the verse bad, but yet my promise good.  
Since bad, discretion 't were to be more sparing ;  
Your known indulgence, Sir, makes me thus daring.  
You've oft ere this indur'd my boldness, for  
Your poet was once your humble orator ;  
And you his pleading and prevailing too,  
Did freely more for him than angels do.  
Sir, you were so benign to me and mine  
(In number ten), that should be sacred Nine ;  
And their great master, Cyntheus, all conspire,  
They with their fountain, he with Enthean fire,  
T' inspire my genius with their influences,  
And sublimate my gross and growling senses.  
I would expend them all on Camaron,  
Fairfax the mild, and his renowned son.  
Fairfax the Great, what glorious things have been  
Acted by him upon our English scene,  
Which we all know : he only will not own,  
Bids us sing Pæans to the Lamb and throne.  
All's done : how could a wounded soldier do it ?  
Yes, with the powerful hand and arm join'd to it,  
Whose finger is almighty : this he sees,  
Lifts up his hands and lowly bends his knees.  
With him should all adore what they confess,  
And see God's finger in the business.

I have digress'd from my intended theme ;  
Misled, but happily by that sunbeam  
Which warms our clime and realm, now orient  
To us since his old father's day is spent ;  
Yet he's so much meridian, that our zone  
So northern, doth her winter spring bemoan ;



Imputing to his distant absence all  
These perishing storms, bleak winds, and show'rs that fall.  
May soon his presence our horizon bless,  
May he his happy long-home late possess,  
Meantime propitious stars direct his way,  
And fight with him 'gainst wearied Sisera.  
I cannot hold, but carried by the stream  
Of my affections, have forgot my theme.  
Your brother general's that strong Euripus,  
Which my intranced Muse transporteth thus.  
I kiss his hand, take leave, and must recruit  
My scatter'd Muses on the solemn lute  
Of sad Melpomene, who waits on tombs,  
And sighs out doleful epicediums.  
These antiquated, tho' we must devise  
For our dear Lord some weeping elegies ;  
Yet his sick spouse, your consort, friends, and you,  
Need not with liquid pearls his hearse bedew ;  
In vain we shed our tears, and fruitless pray  
For him from whom all tears are wiped away.  
Let his curs'd enemies repine and mourn  
That we with honour prosecute his urn,  
Whilst his surviving virtues we transfer  
To ages in a lasting register.  
Cornelia thus, that well-bred Roman dame,  
With sweet composure she her looks would frame,  
Tell her brave Gracchi's deaths, her grief beguile,  
And at their poor-condition'd victors smile ;  
But your religious sisters curb their wills  
And passions by diviner principles ;  
They bless God for his night as well as day,  
Both when He gives and when He takes away.  
And so our patient Huzzite taken hence,  
Took all things cheerfully from Providence ;  
Welcomed both Hessay More and Adderton ;  
Fretted nor chafed whether he lost or won.

And what sinister chance's frowning look  
 Gave with the left, he with the right hand took.  
 He was a great commander in this nation,  
 Not of his soldiers more than of his passion.  
 Self-conqueror first he grew ; more expert thence  
 To fight abroad by home-experience.  
 His very foes saw with impartial eye,  
 And fam'd his justice mix'd with clemency.  
 Nor Titus more benign, or did demean  
 Himself more winningly, when most serene  
 Stil'd the delight of mankind ; Fairfax more  
 Was the delight of Christians ; rich and poor  
 Tasted his bounty. How sincere, how sweet,  
 His words and actions were, and how discreet !  
 Fierce, mild, grave, pleasant, too, you might him call ;  
 Free, frugal, modest, bold, but wise in all.  
 His swarthy brow by brightness was enshrined,  
 Enlightened by the candour of his mind.  
 So now the integrity did keep him warm  
 'Gainst chilness and cold fear : no threat'ning arm  
 Of flesh can daunt that spirit that doth depend  
 On heav'n, and a good conscience, his best friend.  
 So he, adventurous in fields of blood,  
 Appear'd, and durst, in these ill times, be good.  
 You know this best, and loved the gallant man  
 As Jesse's son, industrious Jonathan.  
 Nor are our thanks and honour only due  
 To him, but to 's religious daughters too.  
 His counsellors of his own getting were,  
 And help'd to save his life that gave them their.  
 So they excite him, prophesy and pray,  
 He the stout Barak, they the Deborah ;  
 And Jaels, too, whilst the devoted Saints  
 Impede the enemy with just complaints,  
 And driving to the head the pointed nail  
 Of their loud importunities, prevail.

So on their knees like wrestling Israel fight,  
 Struck dead th' antagonist and the Canaanite.  
 Fairfax in 's children doth himself survive,  
 Nor can he die, while kindly they derive  
 That influence of grace which late was his,  
 Now theirs by a blest metempsychosis.  
 I should extend my Muse, and now describe,  
 In grateful verse, his goodness to our tribe.  
 He lov'd the learn'd, but chiefly would prefer  
 The honest and laborious minister ;  
 Did save our minster, too ; lantern restore ;  
 Both rescued from the Caledonian board,—  
 Fairfax preserv'd. Ebrank the church did found ;  
 He built it ; th' other kept it from the ground.  
 'Twill serve for his firm monument, and endure  
 Like his immortal fame. How premature  
 Was his decease ; how soon the gangrened part  
 Struck him and his dear country to the heart.\*  
 Licentious Death can find an open door  
 Through the least member and the narrowest pore.  
 The soul 's not to the head confin'd, or heart ;  
 But 's whole i'th' whole, and whole in every part.  
 What doth Death not usurp ? whom not destroy ?  
 The frozen waters stab the Roman boy ;  
 The Teian poet, old Anacreon,  
 And Sophocles, die by a raisin stone.  
 A slender fish's bone, and smaller hair,  
 One Tarquin chokes, th' other in his chair.  
 Fabius, the senator, the tooth of a comb,  
 Rippled, and sent Ruffinus to his tomb.  
 A child and needle's touch was the sad slaughter  
 Of flowry Lucia, brave Aurelius' daughter.

\* It will be seen that Mr. Favour here alludes to the cause of Lord Fairfax's death, upon which, in the subsequent lines, he raises such an alarming superstructure of illustrations.

The least impression in th' exterior part  
 May rankle, stealing creep, and reach the heart.  
 Man's breath within his crazy body pent,  
 Like Noah's restless dove, abroad is sent ;  
 Retires again ; at last, with nimble flight,  
 Takes her long leave, and bids perpetual night.  
 As the swift dove, such is the quick expense  
 Of breath ; let 's match her too in innocence.  
 While innocence, which this black guilty time  
 Condemns, to be innocuous is a crime,  
 Your wits (who goodness slight and can confute),  
 This as a blemish to my love impute,  
 And thus integrity itself impeach.  
 Some say his length was more than depth or reach—  
 Pray, what 's become of that deep-reaching man,  
 Strafford, profounder than the ocean ?  
 Hothams and Canterbury ? All asleep,  
 Being sunk and overwhelm'd in their own deep.  
 Wit is the subtle daughter of the head ;  
 The parricide has struck the mother dead.  
 Who honestly deserts, and doth depend  
 On wit, will soon be brought to his wit's-end.  
 Cloud-threat 'ning pride, and hell-deep policy,  
 On these Heav'n looks with a revengeful eye.  
 My Fairfax chose the straight and even way,  
 Took for his guide and period truth and day.  
 All his projections he proclaim'd aloud,  
 Walk'd not envelop'd in a secret cloud,  
 Like wanton Jove of old, but our plain friend  
 (Plain, though his brave progenitors did descend  
 From the great Conquest, and his generous son  
 Had new accessions to his honour won  
 By greater conquests), yet, so free, so square  
 In his transactions was, so debonnaire  
 In his deportment, and in all so clear,  
 As lofty Phœbus, mounted in his sphere.



These virtues are the precious balm, whose scent  
Lasts longer than the Carian monument.

And now my Muse expires, yet still would live,  
Might her short stay some contribution give  
To Fairfax's embalmed memory ;  
But he is gone, and she desires to die.  
Let some smooth Claudian his life set forth,  
My slender verse doth but impair his worth.  
Only contemplate, and survey his end,  
He sees 't that sees the glorious sun descend,  
Whose brightness having gilded o'er the day  
With silver beams, sets with a golden ray  
To rise again. His course thus fairly run,  
He shall mount thither where's no need of sun ;  
Where God's th' eternal light, where he shall see  
Fullness of joy in His sweet Majesty.

JOHN FAVOUR.\*

The will of Lord Fairfax is a document of too much interest to be omitted from our brief outlines. It developes his character clearly, and shows with what care and justice he endeavoured to distribute his protection over the members of his family. When this will was drawn up, Lady Fairfax was on the eve of her confinement, and Lord Fairfax herein provides for the event, which, however, took place a fortnight before his death.

THE WILL OF SIR FERDINANDO FAIRFAX, KNIGHT,  
BARON OF CAMERON.

IN the name of God, Amen.—The Twelfth day of March, One Thousand Six Hundred and Forty-seven, I, Sir Ferdinando Fairfax, Knight, of Denton, in the county of York, Lord

\* *Analecta Fairfaxiana.*

Fairfax, of Camaron, do hereby declare this my last will and testament: First, I do commend my soul into the hands of that Infinite Majesties the Father, the Son, and the Holy Ghost. The same God who hath, with his manifold blessings, been gracious unto me in this world, and whose goodness, in his great mercy, I hope to enjoy in Heaven. Next, I give my body to be buried without much pomp or ceremony, in what place it shall please God to call me out of this sinful world; but, if with convenience it may be, I desire to be interred in the parish church of Bolton Percy, near the body of my dear wife, deceased. Item, I give unto my son, Sir Thomas Fairfax, all the plate, books, and household stuff at Denton, which my father left me; as, also, all the silver vessels for which old plate was exchanged; as, also, all my stallion horses, brood mares, and foals. Item, I give to my daughter-in-law, his wife, one jewel of gold, wherein are set one emerald, two rubies, and four little diamonds. Item, I give to each of my daughters ten pounds, to buy some rings, plate, or jewel, as they shall think best. Item, whereas I have, by two several indentures or deeds, the one of them bearing date the 10th day of March, 1647, and the other of them bearing date the 11th day of March aforesaid, 1647, conveyed my several manors of Ottley, Rippon, and Hartlington, with their and every of their rights, members, and appurtenances, unto Sir Thomas Widdrington and Henry Arthington, Esq., and their heirs, upon such trusts and estates, and to such intents and purposes as I should declare and appoint by my last will and testament in writing, to be signed with my own hand, and sealed with my own seal, in the presence of two or more credible witnesses, I do hereby ratify and confirm the said deeds, and express, will, and declare that the same shall be and stand in force, and upon such trusts, uses, intents, and purposes as are or shall be limited, declared, and appointed by me, in and by this my last will; and I do hereby give unto my wife, the Lady Rhoda Fairfax, for her life, and for and in full satisfaction of

all such dower as she may claim out of any of my manors, lands, tenements, or hereditaments, and of all such right as she may demand to any part of my goods, chattels, or personal estate by the custom of the province of York, or otherwise, the said manors of Hartlington; and, also, all my lands at Oulston, in the county of the city of York, which lands at Oulston I lately purchased in the names of Sir Thomas Widdrington and Henry Arthington, of Arthington, Esq.; and I do hereby appoint and require, that an estate shall be made to her accordingly for her life, provided that she claim no dower of my lands, or any part of my personal estate, by the custom of the province of York, or otherwise, further nor other than what I give unto her by this my last will; and if it please God that I have a son by my wife, then I give unto him all my manor and lands of Bolton Percy, in the county of the city of York, and all my said lands of Oulston and Hartlington, and the manor of Ottley, with all the rights, members, and appurtenances, to have and to hold the said manors, lands, and premises to him, and the heirs of his body; and my will is, and I do hereby appoint, that, for the said manors of Hartlington and Ottley, and the said lands at Oulston, that an estate be made unto him and the heirs of his body accordingly, by the said Sir Thomas Widdrington and Henry Arthington, or the survivor of them; but in case I have no son, or that he die without issue, then my will is, that Bolton Percy aforesaid descend with other my lands formerly estated upon the heirs male of my late father, deceased; and in case I have no son by my said wife, then I give, limit, appoint, and bequeath the manor of Hartlington, and my lands at Oulston, after the death of my wife, unto the said Sir Thomas Widdrington and Henry Arthington, and their heirs, to be sold by them, or the survivors of them, or the heirs of the survivor, after the death of my wife; and I will that the moneys' proceed arising by the sale thereof, shall be distributed and disposed of them to such purpose and trusts as are hereafter expressed and appointed by this my

will, unto all my grandchildren, according to the number of them which shall be living at the time of my death, equally amongst them, except to my grandchild Mary Fairfax, daughter of my son Sir Thomas Fairfax, who is otherwise provided for, and to whom I hereby give the sum of one hundred pounds, to buy her a jewell withall; and I do also give unto my said wife my coach and coach-horses, and all the plate which I had with her. Item, I give the said manors of Rippon and Ottley, with their and every of their rights, members, and appurtenances, unto the said Sir Thomas Widdrington and Henry Arthington, and their heirs, to be sold by them or the survivor of them, or the heirs of the survivor, and the moneys to be distributed by them amongst my grandchildren as aforesaid: Provided always, and it is my express will and desire, that they sell the said manors of Ottley and Rippon to my son, Sir Thomas Fairfax, at such rates and price as I bought the same, in case he please to buy the same. And if my said wife be delivered of a daughter, I give only unto her in money, as followeth, viz., one thousand pounds, to be paid her by my executors, hereafter named, out of my personal estate, within two years after; the other thousand pounds to be paid out of my lands of Oulston and Hartlington (which I have lately purchased), after my said wife's decease, which I have given power to my trustees to sell for that and other uses; and if my said daughter shall die before she shall marry, it is my will that her said portion of two thousand pounds be divided equally among all my grandchildren then living; and I do hereby appoint Sir Thomas Widdrington, Knight, and Henry Arthington, Esq., aforesaid, to put forth and improve the said portion (as it shall be due to be paid) to her use, until she shall come to lawful years to demand the same. And for the remainder of the money (after the said lands be sold) I give it unto my said grandchildren then living, equally to be divided amongst them. Item, I give unto my brother Mr. Henry Fairfax, ten pounds; and to his sons, Henry and



Brian, either of them, ten pounds. Item, I give to my brother, Mr. Charles Fairfax, ten pounds; and to every of his children then living at the time of my death, ten pounds. Item, I give unto Sir William Constable, Baronet, ten pounds; and to his wife, my dear sister, one hundred pounds. Item, I give unto my nephew, Michael Wentworth, Esq., of Woolley, ten pounds; and to my cousin, Richard Aske, Esq., ten pounds. Item, I give to each of my servants serving me at the time of my death, one half-year's wages. Item, I give, moreover, to my servant, Charles Harpour, the sum of twenty pounds over and above what is formerly given unto him in the number of my other servants. Item, I give unto Mr. Thomas Clapham, clerk, the sum of one hundred pounds. And lastly, I do make and ordain Sir Thomas Widdrington, Knight; Henry Arthington, Esq.; and Thomas Clapham, clerk, executors of this my last will and testament in trust, they being only to have allowance of their charges in and about the execution of this my will. And my will further is, that all the residue and surplusage of my personal estate (over and above what I have disposed of by this my last will), shall be equally divided and distributed by my said executors to and amongst my said grandchildren before mentioned, according to the number of them. In witness whereof, I have hereunto set my hand and seal, the twelfth day of March, one thousand, six hundred, forty and seven, in the three-and-twentieth year of King Charles. I desire this following may be added to this my last will, and be part thereof (which is this), I give unto my Aunt Brook a legacy of twenty pounds in money; and do desire my son, Sir Thomas Fairfax, to be good unto her, and to afford her as much out of Bilbrough as the tithes thereof, yearly, during her life, as I allowed unto her of late years.

(*Sic Indorsatur*)                      FER. FAIRFAX.

Memorandum, that the day and year first above mentioned, this was published and declared by the said Ferdinando Lord

Fairfax, to be his last will and testament, in the presence of —(these words in the third sheet, viz., “to such purposes and trusts as are hereafter expressed and appointed by this my will,” being first interlined) witnesses hereof — Richard Hutton, Robert Carville, Tho. Radcliffe, and Henry Stokes.

Note that the will is his own handwriting.

His desire respecting his burial was carried out. He was interred, two days after his death, in the south choir of the church at Bolton Percy, beside his first wife.

The second Lord Fairfax was succeeded in the title by his eldest son, Sir Thomas, born at Denton, January 17th, 1611.

The biography of this nobleman, whose military exploits have attached a lasting historical importance to the name he bore, may be said to comprise the annals of the Civil War; and as the events in which he was personally engaged will be found unfolded in full detail in the third and fourth volumes of the Correspondence, we shall confine ourselves here to a rapid survey of the leading features of his life.

After finishing his school education, he went for a short time to St. John's College, Cambridge, to which in the latter part of his life he became a liberal benefactor. He showed quick talents for learning, and distinguished himself especially in the study of languages and antiquity; but the times were not favourable for such quiet pursuits, and the heroic examples he had before him in his family may be supposed to have strengthened his desire to reap honours in more stirring scenes than the cloisters of a university. His genius lay in a different direction, and

while he was yet little more than sixteen years of age he joined the army in the Low Countries, under the command of General Vere, Baron Tilbury, who was early struck by the intelligence and courage he exhibited. The interest Lord Vere took in him rapidly ripened into intimate friendship, and terminated in the marriage of the young soldier with the Lady Anne, daughter and co-heiress of his lordship. This marriage took place in 1637, on his return to England.

The Veres were zealous presbyterians, and his connections with the family inflamed that enthusiasm on the popular side, which he had inherited from his father. He already showed so much eagerness to distinguish himself in the cause, that when Charles made his first attempt to raise a guard for his person at York, young Fairfax was commissioned by his party to present a petition to the King, imploring his Majesty to abandon his design of raising forces, and to listen to the wishes of the Parliament. The King endeavoured to avoid the reception of this petition, but Fairfax was resolved at all hazards to discharge the duty which had been entrusted him, and following his Majesty on horseback to Heyworth Moor, he presented the petition on the pommel of his saddle, in the presence of nearly 100,000 people.

His military promotion was rapid. He commanded the Yorkshire troop of Redcaps in the first Scotch war, and was knighted in 1640. In 1642, upon the breaking out of hostilities between the King and the Parliament, his father having, as we have seen, been appointed General of the forces in the North, Sir Thomas received a commission under him as General of

the Horse.\* From this point commenced that brilliant career of victories which for their duration, and the remarkable circumstances under which they were achieved, are hardly paralleled in history.

The first action in which he was concerned was at Bradford. The advantages were all on the side of the royalists, who held the high ground, and whose numbers were more than double those under the command of Fairfax ; but after a sharp contest he compelled them to retire to Leeds. He followed them in a few days, but they abandoned the town, and fled to York. Still advancing upon them, he took his post at Tadcaster, within eight miles of York, and, his force being increased to 1000 men, he resolved to keep the pass at Wetherby, to secure the West Riding, upon which they depended for their supplies ; and with that view Sir Thomas went to Wetherby with 300 foot and 40 horse. The royalists attempted to surprise them here, and at six o'clock in the morning suddenly descended upon them with 800 horse and foot, screened and protected by the surrounding woods. No alarm was given till they were at the

\* The occasion which led to the appointment of Lord Fairfax, is thus related by his son (Sir Thomas) in the sequel to the "Short Memorials"—a manuscript which he left behind him (afterwards published by Brian Fairfax) in vindication of his conduct through the war. "My father, being yet at his house at Denton, where I there waited upon him, had notice from his friends that it was intended he should be sent for as a prisoner to York ; he resolved not to stir from his own house, not being conscious to himself of anything to deserve imprisonment. The country suffering daily more and more, many came and entreated him to join with them in defence of themselves and country, which was extremely oppressed by those of the Array (who after had the name of Cavaliers) and he being also much importuned by those about him, seeing his neighbours in this distress, resolved to run the same hazard with them. Then did the Parliament grant a commission to him to be General of the Forces in the North; myself also having a commission under him to be General of the Horse."—*Short Memorial*, p. 96.



entrance to the town, the guards being all asleep in the houses ; “ for,” says Sir Thomas, in relating this incident, “ in the beginning of the war, men were as impatient of duty as they were ignorant of it.” The account which Sir Thomas has left of this action shows in a few words the extraordinary suddenness of the peril and the triumph :—“ I myself was only on horseback, and going out of the other end of the town to Tadcaster, where my father lay, when one came running after me, and told me the enemy was entering the town ; I presently galloped to the Court of Guard, where I found not above four men at their arms, and remember, two sergeants and two pikemen, who stood with me when Sir Thomas Graham, with about six or seven commanders more, charged us ; and after a short but sharp encounter they retired, in which one Major Carr was slain ; and by this time more of the guards got to their arms. I must confess I knew no strength but the powerful hand of God that got them this repulse.”\*

The royalists made another attempt after this ; but the blowing up of a magazine, which they mistook for the roar of cannon, threw them into such consternation that they fled precipitately, Sir Thomas following them for several miles and taking many prisoners.

Then followed the engagement at Tadcaster, already noticed, when the Parliamentary forces retired to Selby. Some days after, passing by night several towns where the enemy lay, Sir Thomas threw himself into Bradford. From this place he advanced upon Leeds, and, after a fierce conflict, carried the town on the 23rd January, 1642-3. He next defeated a considerable force at

\* A Short Memorial, p. 5.

Gisborough, after which Wakefield and Doncaster surrendered.

From hence Sir Thomas marched to Sherburne, intending to surprise the enemy there, who, seeing them coming, posted off a guard of horse at a pass near the town. Sir Thomas charged in person, and forced his way within the barricade, which was immediately shut in upon him. His horse was shot in the breast, but he fought his way into the town, when his horse fell dead under him. The alarm now spreading amongst the king's forces, Sir Thomas made good his retreat to Selby.

These harassing actions were not carried on without occasional reverses. At Bramham Moor and Seacroft Moor, the army of the Parliament suffered two defeats, which were followed by the seizure of Wakefield ; on which occasion Sir Thomas took 1400 prisoners, 80 officers, and a great store of ammunition. The rout at Adderton Moor followed ; and Lord Fairfax, withdrawing to Leeds, ordered his son to remain at Bradford, with 800 foot and 60 horse, and scarcely any ammunition. The Earl of Newcastle, with a powerful force, surrounded the town ; and when the last barrel of powder was nearly exhausted, Sir Thomas resolved to cut his way through the enemy with the intention of getting off to Leeds. In this desperate enterprise he was accompanied by his wife. Day was breaking as he moved out of the town with a handful of men, who were nearly all slain, and several prisoners taken, amongst whom was his wife. "I saw this disaster," he tells us, "but could give no relief ; for after I was got through, *I was in the enemy's rear alone*, those who

had charged through with me having gone on to Leeds, thinking I had done so too ; but I was unwilling to leave my company, and stayed till I saw there was no more in my power to do, but to be taken prisoner with them. I then retired to Leeds.”\* Not many days afterwards the Earl of Newcastle sent back the lady in his own coach.

At Leeds he found the Council in a state of distraction, and preparing to retreat to Hull. At Selby he was shot in the wrist, which made the bridle drop from his hand ; but, withdrawing from the crowd, his wound was bound, and after a dangerous passage he got safely to Hull.

These disasters rendered it necessary to increase the strength of the army, and the Scotch were solicited to send 20,000 men to their assistance, while Lord Fairfax raised new forces in the north. The royalists now suffered such severe defeats at Horncastle and Hull, that they abandoned all further attempts for the winter. Sir Thomas, however, was allowed little repose, being despatched in the coldest season of the year into Lincolnshire, where he signally defeated Lord Byron, following up his successes by taking several garrisons in Cheshire, and totally routed Colonel Bellasis, the governor of York, at Ferrybridge, on the 11th April, 1644. Sir Thomas was now master of the field in Yorkshire, and all that remained was to lay siege to York, where the Earl of Newcastle had shut himself up. Prince Rupert advanced to the relief of the town, and succeeded in entering it with an army of 20,000 men. The English and Scots were divided upon the policy to be

\* A Short Memorial, p. 50.

adopted in this state of affairs. The English were for prosecuting the siege, the Scotch for retiring ; the latter opinion prevailed. Prince Rupert, without consulting the Earl of Newcastle, rashly followed them, which led to the sanguinary battle of Marston Moor, the result of which completely annihilated the King's cause in the north. The Prince, after his defeat, fled into Lancashire, and the Earl of Newcastle, seeing that all was lost, set sail for Hamburgh. On the 15th July York surrendered, and the whole of the north was in the hands of the Parliament. Soon after, Sir Thomas on two occasions received wounds, which nearly proved fatal : at Helmesly Castle he was shot in the shoulder, and carried to York, where for some time his recovery was despaired of ; and at Pomfret Castle he was struck by a cannon-ball, from the effects of which his death was hourly expected.

The important services he had thus rendered to the country, and the signal bravery he displayed on so many perilous emergencies, pointed him out as the fittest man in the kingdom to be placed at the head of the army. Accordingly the Earl of Essex was displaced, and Sir Thomas Fairfax, in the thirty-fourth year of his age, was appointed Generalissimo of the Forces. On the 21st January, 1644-5, he was ordered to repair to London, which he entered privately on the 18th February ; and the next day being taken to the House of Commons, a panegyric upon his services was pronounced by the Speaker, and he received his commission. Oliver Cromwell was appointed at the same time Lieutenant-General.

The rapidity of his subsequent victories showed that



his military talents, courage, and energy were equal to the greatest occasions. In the April following he defeated his Majesty in person at Naseby, in Northamptonshire ; the royalists losing 800 men, 4,500 prisoners, 8,000 stand of arms, 12 pieces of cannon, and 12 colours, in the space of two hours. In May, he invested Oxford—in June, Leicester, pressing on to Highworth garrison, in Wiltshire, which he took in three hours. On all these occasions the loss of the royalists was overwhelming. On the 3rd of July he relieved Taunton, in Somersetshire ; on the 8th, took the garrison of Ilchester ; on the 10th, defeated Lord Goring at Langport ; and on the 23rd stormed Bridgewater, which he won in eleven hours. It was said of Lord Vere, his master in the art of war, that he was remarkable for doing great things with few men ; and that Fairfax did great things with the loss of a few. The observation was abundantly justified throughout this brilliant series of operations. His own losses were slight, but those of the enemy disastrous.

Sherborne, in Dorsetshire, fell before him on the 15th of August ; and on the 21st he invested Bristol, where Prince Rupert was governor, and took it by storm in eighteen hours. In September he took the Castle of Devizes, and in October the Castle of Tiverton. In the following January he raised the siege of Plymouth, and stormed Dartmouth, which he took in seven hours. Torrington, and most of the garrisoned places in Cornwall, were taken in February, including Launceston, Saltash, Liskeard, Mount Edgecumb, Fowey, St. Mawes Castle, commanding Falmouth ; compelling the gallant Lord Hopton to disband his army, by which two thousand stand of arms and seventy colours fell into Fairfax's

hands, and the King lost a body of 4,500 horse. The subjugation of the whole of the west of England was finished in the same month by the acquisition of Dennis-Fort, of the town, castle, and fort of Barnstaple, and the opulent city of Exeter.

Nothing now remained to complete this extraordinary round of conquests except Oxford, which finally yielded to his irresistible arms on the 24th of June. Sir Thomas Fairfax, taking Wallingford Castle, in Berkshire, on his way, now marched to London, which he reached on the 12th of November.

Having thus swept the whole surface of the country, destroyed every vestige of a royal garrison, and driven the King into Scotland and the Prince of Wales into Jersey, from whence he fled to France, the kingdom was prostrate at his feet. In March, 1647, he succeeded to the title of Lord Fairfax, and, still retaining the command of the army, he might be said at that moment to be the chief governor of England.

An insurrection shortly afterwards breaking out in Kent, headed by the Earl of Warwick and Sir William Wallis, Lord Fairfax hastened thither, although he was suffering severely from an attack of gout, and obtained a decisive victory at Maidstone. The royalists of Essex subsequently took refuge in Colchester, upon which place the General advanced on the 13th of June, 1648. The siege proved obstinate and difficult, and it was not till the 28th of August that he succeeded in compelling the town to surrender, and "deliver upon mercy," a phrase by which it was understood that some were to suffer and some to go free.\* Sir Charles Lucas and Sir

George Lisle, "being mere soldiers of fortune," were tried by court-martial, and executed. For this act, Lord Fairfax has been heavily censured ; and, it is to be feared with too much justice. But the examination of the special circumstances of the case, to which we are enabled to bring some new and important evidence, must be reserved for its proper place in the course of these volumes.

Making a triumphant progress through the country, Lord Fairfax came to London in December. The events that followed are too well known to demand enumeration here. But it may be observed, that if Lord Fairfax had been inspired by the corrupt ambition which actuated the conduct of Cromwell and others, he had now the opportunity of absorbing in his own hands a power completely despotic over the destinies of the country. But he had no talents for intrigue, and the simplicity and honesty of his character were plainly exhibited in the decided part which he took when the King was put upon his trial. He felt himself justified, up to this point, in the course he had so victoriously pursued, but he shrunk from the ulterior proceedings which struck at the life of the Sovereign. He had never contemplated that necessity, and he refused to participate in the proceedings of Parliament, although his name was placed at the head of the commission for the trial of the King, and made use of in a variety of public documents connected with it, without his consent. By suffering the influence of his name to be thus employed, in violation of his own convictions, it cannot be denied that he betrayed a lamentable weakness of judgment, and a want of that boldness and decision

which so conspicuously distinguished his conduct in the field. He remained nominally in command of the army throughout the whole of these transactions, instead of at once resigning a command (as he did afterwards upon a less excuse) when he could no longer hold it with honour or advantage. His own apology for not relinquishing an authority which was thus ignominiously over-ridden, places the infirmity of his resolution in a still worse point of view. "I was much troubled," he observes, "to see things in this condition [alluding to the discontent of the army and the divisions in Parliament], and rather desired to be a sufferer than a commander ; but before I laid down my commission, I thought fit to consult my friends, rather than gratify my private reason and desires, especially having received it from a public authority, which might justly expect to have notice before I laid it down. This was the cause of my continuing in the army longer than I would have done, which did preserve the Parliament for some time from those violences that it afterwards suffered from those disturbers."\* To cast the blame of a great error of judgment upon the advice of friends, is the last resource of a man who feels that he has no substantial vindication to offer for his conduct.

Even Lady Fairfax, violent as were her Presbyterian prejudices, acted with more openness and courage on this occasion than her husband. Being seated in the place set apart for ladies on the occasion of the trial, when Lord Fairfax's name was called out as the first on the list of the judges, and, no answer being given, was called out again, she exclaimed in a loud voice, " He has

\* A Short Memorial, p. 105.



more wit than to be here." Afterwards, when the clerk began to read the charge, "In the name of all the good people of England ——" she interrupted him by crying out, "No, nor half of them ; it is false ; where are they, or their consents ? Oliver Cromwell is a traitor." The assembly was thrown into consternation, and Captain Axtell, who commanded the soldiers who were guarding the King, stood up and demanded, "What drab is that that disturbs the Court ? Come down, or I will fetch you down ;" and then turning to the soldiers, desired them to fire. When the soldiers directed their guns to the gallery, her ladyship was prevailed upon to retire.\*

From this time Fairfax's influence declined, and although he continued in the command of the army after the death of the King, his power was gone. Cromwell left no means unemployed of weakening his position, and humiliating his feelings. Lord Fairfax struggled in vain against the superior intellect of his rival ; and when it was proposed to take up arms to chastise the Scotch, who had broken into the kingdom in 1650, he declared that the design wounded his conscience, and seized upon that opportunity to resign his command. He resigned on the 12th June, and such was the avidity with which his resignation was accepted, that on the following day an act was passed to repeal the ordinance appointing him commander-in-chief, and another by which Oliver Cromwell was appointed in his stead. And thus the brilliant career of Fairfax in the service of the Parliament terminated in the bitterest mortification.

\* Captain Axtell was executed at the Restoration.

Retiring at once from public life, he settled down upon his estate at Nun-Appleton in Yorkshire. The wars in Scotland and Ireland gave him no concern. He took no further interest in such affairs ; but he appears to have meditated throughout the period of the Commonwealth the restoration of the sovereignty as the only means of redressing the evils which the civil war had brought upon the country.

Cromwell's conduct towards him in his retirement helped to deepen this resolution in his mind ; for the Protector omitted no opportunity of heaping a sort of civil obloquy upon him. He gave him a place in some of the trivial commissions in the country, and left him there. The very notice he took of him was designed to publish to the world how little account be placed upon his talents or his services. The marriage of Lord Fairfax's only child, the Lady Mary, with the Duke of Buckingham furnished a fresh occasion for treating the secluded general with contempt. This marriage produced great offence at Whitehall, because Cromwell held that it ought not to have proceeded without special leave from the Court, as had been the custom under former sovereigns ; in addition to which, Cromwell considered the Duke of Buckingham a proper match for one of his own daughters. An order in council was accordingly issued by which the "civil respects" of the Council were ordered to be signified to Lord Fairfax on this event ; an indignity which was offered in a manner that could not be openly resented, but which deeply wounded his lordship's pride. He confessed to his friends how much he was galled by these insults, and said to one of them that "he had laid it up, and would remember it when there was occasion."

This marriage of his daughter gave him an additional interest in the restoration of the monarchy. It raised her to the first rank in the kingdom—a rank from which no advantages could be derived in the court of Cromwell ; and it insured him an amnesty at the hands of the Prince.

In consequence of this marriage, and animated by a desire (not unnatural in the circumstances) that his whole property should descend through his ennobled daughter, Lord Fairfax resolved to cut off the entail of his estates, which had come down to him from his father and his grandfather. In reference to this proceeding a document of singular interest has been preserved by Charles Fairfax, as a postscript to the *Analecta*. It describes an interview which he had held with his father, the first Lord Fairfax, a short time before his death (1640), when that nobleman anticipated the event which took place many years afterwards, and in express words prophesied that his grandson would *destroy his house*. This curious paper is entitled :

MEMORANDUM BY CHARLES FAIRFAX, OF MENSTON.

HAVING made some few entries of the most remarkable of the family that have come to my view or certain knowledge, I am now, for a sad epilogue, enforced to insert the passages of a discourse betwixt my dear father, Thomas, first Lord Fairfax, and myself, which I dare not omit, by reason of a solemn engagement imposed upon me by him, with a quadruple charge, as 'tis hereafter specified, not many months before his death, the substance whereof, with some of the circumstances, was to this effect.

He walking in his great parlour at Denton, I only then

present, did seem much perplexed and troubled in his mind, but, after a few turns, broke out into these, or the like expressions :—

“Charles, I am thinking what will become of my family when I am gone ; I have added a title to the heir-male of my house, and shall leave a competent estate to support it. Ferdinando will keep it, and leave it to his son ; but such is *Tom’s* \* pride, led much by his wife, that he, not contented to live in our rank, will *destroy his house*.”

I then offered something in vindication of both, and told him what was not only my own thought, but the general hopes of all who knew them ; yet notwithstanding, he solemnly charged me to make known what he told me, when I saw a probability that it might so fall out.

I then alleged my unfitness to be the publisher, and that it might be done by a person better qualified, and one not so near in relation to him. He added, (to that solemn injunction and command of a father,) a charge upon his blessing, (which I received with a sad heart and tears,) that I would do it.

He then, it seems, doubting my performance, superadded, as his last and great charge, that I should not fail, as I should answer him at the dreadful day of judgment, when I must give an account. This he *twice repeated*. Then, after some years, when I was informed that the *now* Lord Thomas had cut off the entail (made by his father and grandfather, ult. mens., 13 Carolus) for the settlement of the estate upon the heir-male, charging the land with a complete provision for a daughter or daughters ; he, the *now* Lord Fairfax, being then at Denton, in the very same room where I received my charge, I faithfully acquainted him with the passages, as above said. He gave me my liberty, without words of impertinency or any appearance of distaste, and made me (*then*) *more* than verbal expressions of a kind acceptance.

Now, in testimony that this is (in substance) the very

\* Thomas, the Parliamentary general.



truth, I being on the very brink of eternity,\* and ready to embrace and shake hands with Death, do, in this instance, for and in discharge,

First, Of my solemn engagement to a father ;

Second, Upon his blessing ; and

Third, As I shall answer him at the great day of judgment ;

Attest in the presence of Almighty God, that I do not prevaricate, which may be the better believed, because it can have no other reflections upon me than to my disadvantage, there being scarce a possibility (not a least probability) that either land or title should ever descend or fall so low, my brother Henry having children, and divers grandchildren, who may be inheritable, at least to the title. Indeed, it may deprive me of the assistance and countenance of our chiefest support, whom it may exasperate.

This very argument I urged to my father, but it had no prevalency to procure my discharge.

Obedience, in truth, is better than sacrifice, not, as the world thinks, of my credit and esteem with my honourable chief, which I know I hereby sacrifice, but of the best oblation, I am able to tender. A very Pagan could say, "Fiat Justitia, ruat mundus," and I have learned to go upon a better principle.

And yet I have not wanted suggestions of discouragements, but dare not hearken to any discussion to the neglect of this duty. Ita testor.

CHARLES FAIRFAX.

It has been my great care to manage this charge (incumbent upon me) with the least offence, and to those that object the discharge thereof will expose me to a snare inevitably to be avoided, my answer is this, "That the only wise God, to me universally good, that brought it upon me, knows a way (unknown to me) how it may be eschewed, and to him I submit." †

\* He died 1673.

† There were three copies made of the "Analecta," but this curious revelation appears in only one of them.

Enfeebled as Lord Fairfax was by a complication of painful disorders, he was foremost in the declaration for the restoration of Charles II. The brief sovereignty of Richard Cromwell was even more mortifying to him than that of Oliver ; for Oliver at least had served bravely in the field, and was a man of consummate abilities. As the time ripened for taking active measures, he did not hesitate to avow himself even in advance of Monk, who calling upon him on his way to London from Scotland, cautiously endeavoured to sound him, without committing himself. They were both silent men, and seem to have had doubts of each other. But Fairfax was the first to speak ; and when they had mutually revealed their desires, no time was lost in putting them into execution.

A short but minute narrative of the part which Lord Fairfax took upon this occasion is contained in the following paper, in the hand-writing of Brian Fairfax, who, as it appears, had himself a share in these transactions :—

Declaring for General Monk, then in Scotland, at his earnest request, against Lambert's army, which pressed hard upon him as he lay at Coldstream, whither my Lord Fairfax sent me his cousin, Brian Fairfax, with a verbal answer to his letter, brought by Sir Thomas Clargis, that he would appear at the head of what forces he could raise in Yorkshire the 1st of January, 1659, which he did to so good effect, that in three days' time (the report of my Lord Fairfax opposing them being spread about Lambert's army) the Irish brigade, consisting of twelve hundred horse, deserted him, and sent to offer their service to my Lord Fairfax,\* and several foot

\* " My Lord Fairfax was then at Arthington with about one hundred men,

regiments at the same time declared for their old general, Fairfax; and in five days Lambert himself, with ten men, stole away from his own army.

Then General Monk marched into England, and offered the command of the army to my Lord Fairfax, but he refused it, only advised him (at his house at Appleton, where Monk gave him a visit) to consider there would be no peace in England till the nation was settled upon the old foundation of monarchy, and King Charles the Second restored; in the meantime, to call the old secluded members to Parliament which had now got into their places again. The General was more reserved than he needed to be upon this free discourse of my Lord Fairfax, being alone with him in his study, which gave my lord occasion to suspect him ever after, till he declared himself the spring following to be of the same mind, having received another letter at London from my Lord Fairfax (delivered by the same hand, B. F.), and accompanied with the address of all the gentlemen\* of Yorkshire for a free Parliament, and that they would pay no taxes till it met.

King Charles himself did often acknowledge these services, not only by granting him a general pardon, but upon all occasions speaking kindly of him, and praising his courage, his modesty, his honesty, &c.

From other quarters he also received letters of acknowledgment and congratulation, of which the following, containing a grateful allusion to the services of his uncles in the Palatinate, are amongst the most important :—

when an officer of the brigade came and inquired for Mr. Brian Fairfax to bring him to my lord with this kind and seasonable offer of their assistance.—B. F.”

\* At their desire my lord writ a particular letter to General Monk.

FOR THE LORD FAIRFAX, FROM THE PRINCE ELECTOR  
PALATINE.

MY LORD,

I SEND this bearer, the Captain of my Guards of Horse, (who hath the honour to be known to you), with letters of congratulation to the King and Parliament: and have also charged him to assure your lordship of my constant esteem and grateful remembrance of those many kindnesses I have received when I was last in England from your late noble father and yourself. He will also show you the relics your gallant uncles have left with us of their valour and affection for my family and country; all which are so great ties upon me, as that I have nothing more in my wishes than to find out a way how to express a due resentment, the reality whereof I shall ever be ready to prove, whenever you will put it to the trial, and much I am your lordship's

Obliged friend to serve you,

CHARLES LODOVICO.

*Heidelberg, this 6th of June, 1660.*

A MONSIEUR MONSIEUR FAIRFAX, A LONDRES, EN  
ANGLETERRE.

*A La Haye ce 5 Septembre, 1660.*

MONSIEUR,

L'AMITIE que vous avéz monstre au Prince Don Emanuel nostre Pere, Et l'estime perticuliere que Monsieur le Prince de Portugal, mon mari, faisoit de vous, m'obligent a vous donner avis de la trist nouvelle que je viens de recevoir de sa mort, arrivée en Espagne. Pour vous supplier de nous vouloir continuer l'honneur de vostre affection aux Princes, mes enfans, et a moy, et de nous vouloir donner des occasions de la recognoistre par nous services, elles nous seront extremement cheres et a moy particulièrement, estant comme je suis,

Monsieur,

Vostre tres humble et tres affectionnée Servante,

D. ANNA, PRINCESSE DE PORTUGAL.



We now resume Brian Fairfax's narrative :—

In the year 1660, he was one of the deputies of that Parliament, or Convention, sent to King Charles, then at the Hague (where B. F. went with him), to invite his Majesty over into England, where he was kindly received, his Majesty sending my Lord Gerard to compliment him particularly, and to conduct him to the court, where he kissed his Majesty's hand, and was admitted to some private discourse with his Majesty, as likewise Mr. Edward Bowles, being presented by the Duke of Ormond.

After his Majesty's restoration and coronation, my Lord Fairfax retired from London to his house at Nun-Appleton, near York, a house which he built a few years before, and where he peaceably spent the remainder of his life, bearing the pains of the gout and stone with a courage and patience equal to that he had shown in the unhappy war, the wounds and fatigues whereof brought those diseases upon him.

Of that war he wrote a short account, which he calls a memorial of his actions in the northern war, from the year 1642 to 1644; and something in his own vindication after he was General. The original is in Denton library.

The last seven years of his life, that disease which he was most subject to, the gout, occasioned or increased by the heats and colds, and loss of blood, and the many wounds he got in the war, this disease took from him the use of his legs, and confined him to a chair, wherein he sate like an old Roman, his manly countenance striking awe and reverence into all that beheld him, and yet mixed with so much modesty and meekness, as no figure of a mortal man ever represented more. Most of his time did he spend in religious duties, and much of the rest in reading good books, which he was qualified to do, in all modern languages, as appears by those he hath writ and translated; several volumes of his own handwriting are now in the study at Denton, with my brother Henry Lord Fairfax.

The following letter, unaddressed, dated in 1669, two years before his death, and written in the midst of his infirmities, is the last record of his own hand, of a private nature, to be found amongst his papers :—

LETTER OF THOMAS, THIRD BARON FAIRFAX, THE  
PARLIAMENTARY GENERAL.

MADAM,

I BEG your pardon for this slow return of my humble thanks for your ladyship's many favours. Nothing but a long confinement to my bed, with frequent pains, and much lameness in my hands, could have made me guilty of such an incivility, though now I can but rather assure your ladyship of my grateful remembrance than express the obligation I have to you for them. If any thing make my retiredness and painful life unpleasant to me, it is the uselessness I am to my friends. In nothing else I have cause to complain whilst it please God to enable me to undergo this infirm condition with a patient submission to his will, which hitherto hath been my support and hope. If he will yet increase the one, he will fortify me more with the other, that I may never think him a hard master, who hath led me through a life of so much difficulty, hazard, and pain till this present, not without some support and comfort to bear me up in it; and it is none of my least felicity to find myself to have still a place in your ladyship's memory, which I must ever prize very highly, but have none other way to acknowledge it but my hasty wishes. In all your affairs you may meet with nothing but satisfaction and contentment, especially in your concern for my Lord of Lincoln, whom I wish all good success to, with my humble service; and not to be further tedious, also subscribe myself,

Madam,

Your most affectionate and humble servant,

FAIRFAX.

*March 23, 1669.*

I do not forget often to inquire of my Lady Clare's and my sister Worsnam's health, to whom I present my humble and affectionate service.

The remainder of the narrative closes the account of Lord Fairfax's life :—

He died of a short sickness, a fever, at Appleton, November 2nd, 1671. The last morning of his life he called for a bible, saying his eyes grew dim ; he read the 42nd Psalm—“ As the hart panteth after the water-brooks,” &c., and perceiving his end approaching, having some years before settled the best part of his estate, viz., the manors of Denton, Askwith, Righton, Bilbrough, with other rents upon his cousin Henry Fairfax, to whom the title was to go, and entailed the same upon the heirs-male of our grandfather Thomas, the first Lord Fairfax of Denton ; the rest of his estate, viz., Appleton and Bolton, to his daughter, the Duchess of Buckingham, if she had issue male, if not, to the heirs of Thomas Lord Fairfax, the elder. And so he quietly yielded up his soul to God, in the 60th year of his age, and was buried at Bilbrough, near York, where a decent monument\* is erected to his memory. His lady was there buried also.

Lord Fairfax is described as having had a tall and commanding figure, with a character of face which was gloomy in repose, but capable of vivid expression when lighted up by sudden emotion. He was of a retreating disposition, and generally very silent, which might have been attributed to a slight stammer in his speech,—a

\* The Memory of y<sup>e</sup> Just  
is Blessed.

“Εως τὸν αἰῶνος το μνημό-  
συνον αὐτοῦ εἰς Εὐλογίαν.

1 Mac. iii. 7.

defect that spoiled all his attempts at oratory. The reserve and modesty of his bearing were the more remarkable in a man whose decision and courage were unquestionable. At the Council-table he bore himself with a humility that almost amounted to diffidence, and spoke little ; but when his resolution was taken (often in direct opposition to the opinions of the Council), no appeal could move him from his purpose. In the field, the great qualities which raised him so rapidly to eminence showed themselves in a sort of ecstasy. He was as reckless of his person in battle, as he was of his own interests in political affairs. He appeared like a man inspired in the midst of his troops, and was so elevated and absorbed by the movements around him, that, at such moments, his officers rarely ventured to speak to him. His genius revelled in these scenes. But it failed quite as conspicuously in the business of statesmanship. Up to the close of the war, his military talents secured him the loftiest consideration ; but from the time when it became necessary to reconstruct the government, and repair the evils of that long and unnatural hostility, he suddenly fell into obscurity, from his total unfitness for the wants of the times.

In religion Lord Fairfax was a Presbyterian,—a profession into which he was drawn by the influence of his wife. He was a lover of learning, and the institutions sacred to its cultivation. At Oxford he repressed, as far as he could, the outrages of the soldiery, and used all the means in his power to preserve the Bodleian library from pillage. It is highly to his honour, that when the city was in his possession it suffered less than



it did from the hands of the royalists. He was himself a contributor to the *Polyglott* and other larger works, and was so zealous a patron of men of letters, that he allowed a considerable pension to Roger Dodsworth, who had the chief hand in the "*Monasticon*." He was a collector of engraved portraits of warriors, and also of coins and medals; and presented to the Bodleian library twenty-nine ancient MSS., and amongst them a beautiful MS. of Gower's "*Confessio Amantis*." Numerous compositions of his own were preserved in the library at Denton; and also in Mr. Thoresby's Museum, several religious pieces—a Poem on Solitude, Notes of Sermons by himself, his wife, and daughter, and a treatise on the Shortness of Life. Lord Orford includes him amongst his royal and noble authors, but cannot concede that honour to him without a sneer at some verses which he wrote on the horse (his own gift to the King) ridden by Charles the Second to his coronation. Fortunately, the reputation of Lord Fairfax stands upon higher ground than a snatch of silly doggrel, and will outlive the small wit spattered upon his memory from the filagree chambers of Strawberry Hill.

The only production of Lord Fairfax's which has been published is that entitled "*A Short Memorial of Thomas Lord Fairfax*," in which he gives an account of his share in the transactions of the period. These papers were not intended for publication, but were left behind him in the library at Denton for the satisfaction of his family; and afterwards given to the world by his cousin Mr. Brian Fairfax. In whatever point of view we regard this work, it cannot be said to exhibit his lordship's talents to advantage. He appears to have

had as indifferent skill in writing as in speaking. The manner of the Memorial is crude and lumbering ; the matter slight and superficial. It contains nothing more than notes of the skirmishes, battles, and sieges in which he was engaged, imperfectly sketched, rather than described ; and presenting no large views of military strategy, no indications of a comprehensive design, no hint of the contemplation of any results beyond the fugitive victory of the hour. The brief vindication of his own conduct with which he closes his memoranda, is similarly deficient, weak, and unsatisfactory. But the Memorial discloses two circumstances of some importance to a full estimation of his character. He distinctly disclaims all participation in the trial of the King, and declares that he regarded it with abhorrence. Mr. Brian Fairfax tells us also in the dedication, that he “utterly abhorred and lamented the death of the King to his dying day ; and never mentioned it but with tears in his eyes.”\* From another passage we gather that his resignation of the command of the army was not altogether voluntary, but that he was in some sort compelled to it by those from whom he derived

\* Upon this point there is no doubt. It is conceded on all sides. In the funeral sermon, which was preached at his interment by the Rev. Mr. Stretton, his domestic chaplain, we find the following explicit statement. “As for that horrible act of theirs in murdering of their sovereign he ever detested it, and used all the means that possibly he could for the preventing of it. I have heard him say so much about it which I have not time now to relate as would convince any impartial man in the world that, considering circumstances he was under, he was not deficient in anything that lay in his power for the hindering of it, and the misapprehension and censures that some had and passed upon him for it, made the day of judgment more desirable to him, when God will clear up his innocence as the sun and his righteousness as the noonday ! ”

his authority. The passage is not very clear ; but it will hardly bear any other interpretation.

“All this I saw with grief and sorrow [the declarations of war against Scotland for having assisted the King, and the opening of relations between the Commonwealth and foreign governments], and though I had as much the love of the army as ever, and was with great importunity solicited by that remaining Parliament and soldiers to continue my command ; and though I might, so long as I acted their designs, have attained to what height of power, and other advantages I pleased ; yet by the mercies and goodness of God, I did, so long as I continued in the army, oppose all those ways in their councils, and when I could do no more, I then declined their action ; *though I did not resign my commission which I had from the Parliament, till the remaining part of it took it from me.*”\*

From these ravelled sentences it is not easy to extract a distinct meaning, since in one place he states that the “remaining parliament” solicited him to continue his command, and in another that the “remaining part” of the Parliament took it from him. But the statement, clouded by these obscurities, must stand for whatever it is worth, and be left to make its own impression.

The sequel of the history of the Duchess of Buckingham, the only child left by Lord Fairfax, was miserable enough. The wretchedness of her life, during the profligate career of her husband at the court of Charles II., was hardly more bitter and hard of endurance than the misery to which he consigned her on an impoverished estate at his death. He died overwhelmed with debts, and the Duchess was ultimately driven to the last

\* A Short Memorial, page 127.

extremity to sustain herself. In a letter to her cousin, the fifth Lord Fairfax, she observes, "I need not tell your lordship of the great difficulties I have met withall by the violent proceedings at law of my Lord Duke's creditors, with whom I was at last forced to come to an agreement, and to pass away my estate at Nun-Appleton in trust for their benefit, upon consideration of five-and-twenty hundred pounds reserved to be paid me (for payment of my debts) upon the sale of the estate." In reference to these measures, she begs permission to inspect certain deeds in his lordship's possession, to which she again refers in a subsequent letter, where, speaking of her pecuniary embarrassments, she says,— "debts which are very burthensome and very grievous to me ; and 'twas that made me so earnestly entreat your lordship's friendship to suffer these deeds to be produced, that I might be thereby eased from the clamours of my creditors." The estate was literally absorbed by fines and recoveries. The poor Duchess was released from these afflictions (which so signally fulfilled the prophecy of the first Lord Fairfax) on the 20th of October, 1704, when she died, in the 66th year of her age, near St. James's, Westminster.

The Mr. Brian Fairfax, whose narrative of the last days of his distinguished relative we have just given, was the second son of the Rev. Henry Fairfax, rector of Bolton Percy, to whom we have already referred. He appears to have been a man of a very amiable disposition, and to have largely enjoyed the confidence of his cousin, the Parliamentary General. Like most of the other members of his family, he, too, cultivated poetry, but with more successful results. We find the



following specimens, in his own handwriting, amongst the Fairfax MSS.

In one of my usual morning walks in St. James's Park, nescio quid meditans nugarum, I had in my eye the new house built by John Sheffield, the new Duke of Buckingham, a Belvidere, with a pleasant prospect, and there was writ upon it, "*Sic siti lætantur Lares,*" which occasioned these verses,

What happy creatures Lares are  
That live on vistas and fresh air;  
Dine with Duke Humphrey every day,  
With fairies dance the night away.  
Ceres with her sheafs of corn  
Sheffield-house would best adorn,  
And, if Bacchus grapes do bring,  
The merry Lares then may sing.

*Sic siti, &c.*

B. F.

EGO SORTE MEA CONTENTUS.

Sweet Content, where dost thou dwell?  
In prince's court, or hermit's cell?  
In the country, or the town?  
Dost thou wear a sword or gown?  
Art thou rich, or art thou poor?  
This I know, thou need'st no more.  
Stands a porter at thy gate,  
Where the men of business wait?  
Who from thy levee date the day,  
Not from Aurora's golden ray.

I have sought thee far and near;  
Thou like my shadow dost appear:  
Why so cruel, so unkind,  
Still before me or behind?

Sweet Content, O dwell with me,  
A virtuous wife shall welcome thee ;  
Not in a palace or a cell,  
Where neither wealth nor want doth dwell.  
Three olive plants, from Heaven sent,  
(As guardian angels innocent)  
Support our cruse ; 'tis open ever,  
Though seldom full, tis empty never.  
A conscience pure 's our constant guest,  
This is our continual feast.

B. F. 1682.

EPITAPH ON THOMAS LORD FAIRFAX.

O Mighty Death ! what mortal can  
Resist thy force, when this great man  
Lies conquer'd and subdued by thee,  
His first, and last, victorious enemy.  
Courage itself thou seem'st to outbrave,  
By building trophies on his grave ;  
Thou ne'er durst meet him in the field,  
Surpris'd in his bed thou mad'st him yield.  
But stay awhile, and thou shalt see  
He'll rise again and conquer thee !  
And triumph too, when he shall sing  
O Death ! where is thy sting ?  
O Grave ! where is thy victory ?

B. F.

THE VOCAL OAK.

UPON CUTTING DOWN THE WOODS AT NUN-APPLETON.

*Facit indignatio Versus.*

Sprung from an acorn of Dodona's grove,  
Brought by an eagle, (sacred both to Jove),  
Hither, long since, I came, and now relate  
What I have learnt out of the Book of Fate.

Sacred to Jove we oaks were ever thought :  
Under our shade, when learned Druids taught,  
Then it was sacrilege to cut a tree ;  
To wound an oak,—to offend a deity.  
The Vestal Virgins here, who long did dwell,  
How many pretty stories would they tell ;  
But I kept council ; ne'er did they desire  
To cut more wood than fed the Sacred Fire.  
I then the mark of I. H. S. did bear,  
Cut by a Virgin's hand, a character  
Which, if old Bards and Druids had but seen,  
One Mistletoe had not adored been.  
Sometimes a bough they broke to fan the flies ;  
But never more than when a sister dies,  
To bury or enshrine the pretty saint ;  
Or make a staff when they as Pilgrims went.  
The noble Lord\* to whom I lately paid,  
In winter shelter, and in summer shade,  
As my just tribute ;—he did me defend  
From the injurious hand of foe or friend.  
In vain the subtle axe of him did crave  
It might a shaft from the next thicket have,  
To cut us down : he kept us still to grace  
The country, and adorn this pleasant place :  
Where twenty years' retirement pleased him more  
Than all the trophies he had won before.  
Oft would he bring a book, and sit him down,  
Less glorious in arms than in his gown ;  
All ages past, and persons that are gone,  
Were not, to me who saw them, better known.  
He read diviner things than Druids knew,  
Such mysteries were then revealed to few ;  
For his chief study was God's sacred law,  
And all his life did comments on it draw.

\* Thomas Lord Fairfax.

As Israel's king at last lay by his sword,  
 And took the sacred harp to praise his Lord,  
 Like some religious hermit now he seem'd,  
 By all the world (least by himself) esteem'd.  
 Fain would I heard him tell what he had done,—  
 How many battles fought, as many won ;  
 When all the fields and villages around  
 Heard his victorious drums and trumpets sound ;  
 When all these woods did echo forth his praise,  
 And wish'd, t' adorn his head, we'd all been bays.  
 If all his sword then did his pen would tell,  
 Cæsar alone had fought and writ so well.  
 But he was silent, and would only say,  
 He wish'd his victories fewer every day,  
 And what in youthful heat he lately did  
 Desired from future ages might be hid ;  
 Repentance now these bloody wounds had heal'd,  
 God and the King have both the pardon seal'd.  
 Thus did he take his last farewell of me,  
 To him obeisance made each neighbour tree ;  
 And at his funeral pile desired to burn,  
 And consecrate their ashes in his urn.  
 How innocent, how harmless, do appear  
 The toys at Court, which cause such mischief here ?  
 Ribbons and lace seem no such costly thing,  
 As to supply them should undo a King.  
 How many stately oaks must buy a fan ?  
 What lands a dish from China or Japan ?  
 How many acres of this flowery mead  
 Must buy a flow' red satin for a bed ?  
 What manors mortgaged to supply a feast—  
 What trees and houses eaten by a guest ?  
 Till all's reduced at all to what we see,  
 Painted in landscapes and in tapestry.  
 So strong's the hand of luxury and pride,  
 What heart of oak can its fierce blow abide ?



So keen 's the axe that 's managed by that hand,  
Oaks are mown down like grass at its command.

## THE OAK'S PETITION.

For the Oak 's sake that saved the King,  
That home from exile him did bring,  
That beat the Dutch so oft in war,  
That brings you pearl and gold from far,  
Points and bagatelles from France,  
Parrots that prate, and apes that dance,  
Toys from China and Japan,  
Now deny me, if you can.

Mr. Brian Fairfax also translated the life of that famous French Huguenot, M. de Plessis, of whom he justly observes, that "his services to the Crown of France were such as the very name of Huguenot by way of reproach ought to have been abolished for his sake." This translation, written on large folio, in a clear and beautiful hand, and bound in white vellum, is preserved amongst the Fairfax papers, and may, perhaps, be one day given to the world.

Lord Fairfax, having no male heir, was succeeded in the title by his cousin Henry (son of the Rev. Henry Fairfax, of Bolton Percy), who was elected member of Parliament for Yorkshire in 1678, and, dying in 1688, was succeeded by his eldest son, Thomas, fifth Lord Fairfax, who was elected in the same year to the vacancy in the representation of the county. This nobleman took an active part in the Revolution; was appointed lieutenant-colonel of the third regiment of Horse Guards in December, 1689; and in the following January was promoted to the command of the third, or

King's own regiment of dragoons. In 1701 he attained the rank of brigadier-general, but lost his seat in Parliament at the time of the Union in 1707, when a new writ was issued for creating him a peer of Scotland. He married Catherine, only child of Thomas Lord Culpepper, Baron of Thoresway, in the county of Lincoln, by whom he obtained Leeds Castle, in Kent, and lands of great extent and value in America. He died in January, 1710. His son Thomas, sixth Lord Fairfax, succeeded to the title.

The property inherited by this nobleman, who had the misfortune to lose his father at an early age, was more considerable than had been possessed by any of his predecessors. It amounted to a princely fortune, including Denton and other estates in Yorkshire, which descended to him from his father, and several manors and estates in Kent and the Isle of Wight, and that immense tract of country comprised within the boundaries of the Potowmac and Rappahennoe rivers in Virginia, called the Northern Neck, containing five millions seven hundred thousand acres, which he derived from his mother.

Upon the decease of his father, he and his brothers, Henry and Robert, and four sisters, one of whom, Frances, was afterwards married to Denny Martin, Esq., of Loose, in Kent, were placed under the guardianship of their mother and grandmother, the Dowagers Fairfax and Culpepper, the latter of whom was a Princess of the House of Hesse Cassel.\*

\* For these particulars, and the subsequent account of the sixth Lord Fairfax, we are indebted to Dr. Burnaby's "Travels in the Middle Settlements of North America in the years 1759-60."

Lord Fairfax was educated at Oxford, where he resided for several years, and became distinguished for his literary taste and accomplishments.\* He afterwards took a commission in the Blues. During his residence at the University his guardians compelled him, under a menace of depriving him of the Northern Neck, to cut off the entail of Denton Hall and the Yorkshire estates, for the purpose of redeeming the property of the late Lord Culpepper, which was heavily encumbered. He consented to this measure with deep reluctance, and entertained towards the ladies with whom it originated the bitterest resentment. Denton and the Yorkshire estates had been in the possession of the Fairfax family for five or six centuries, and he felt that in parting with them he compromised the independence of his house ; and his mortification was heightened by the perfidy of the steward who was entrusted with the management of the transaction, and who sold the whole property for a less sum than was produced by the timber cut down to discharge the purchase-money, before the day of payment arrived.

As soon as he had entered into possession of his Virginian estates, and ascertained their value and situation, he discovered that they had been grossly mismanaged by the agent, who had hitherto acted for Lady Fairfax, and who had enriched himself at her expense. He immediately dismissed him from his employment, and appointed his cousin, William Fairfax, who held a place of considerable trust under the Government in New England, to take charge of his estates. Mr. William

\* Dr. Burnaby says that he was one of the contributors to the "Spectator ;" but his contributions have never been traced.

Fairfax removed with his family to the scene of his new labours ; and by adopting a moderate quit rent, and a careful system of control, the vacant lands were rapidly let, and a considerable and permanent income was speedily realised. Tempted by the prosperous issues of this arrangement, Lord Fairfax visited his vast possessions on the American continent in 1739 ; and after spending a year with his cousin, became so captivated by the climate and fertility of the country, that he resolved to settle there, after he should have paid a final visit to England to wind up his family affairs, and prosecute a suit he had with the Crown on account of a tract of land ; which suit was determined in his favour. During this visit to England, he was present at the marriage of his brother Robert, and showed his distaste for the frigid and starched habits of the old country by complaining of the fatigue he underwent on that occasion, sitting up for a month together full dressed and in form to receive ceremonial visits. His lordship's notions on these matters admirably fitted him for the bold solitudes and open life of the new world ; while the revolutionary principles in which he had been educated gave a still keener zest to his enjoyment of the practical liberty that lay before him. Perhaps, too, his wounded pride had something to do with his choice of location. The house of Fairfax had crumbled to a name ; its ancestral halls had passed out of the hands of the last inheritor of the title ; and nothing remained to him in this country but the barren privileges of his station, which only served to render his position painful and humiliating. His resolution to leave England was influenced probably also by other feelings, to which we shall have occasion presently to allude.



He returned to America in 1746 or 1747, and lived for several years in the house of his relative, on the banks of the Potowmac, occupying his time in field sports and the superintendence of his farms and plantations. He afterwards removed to a tract of land on the western side of the Blue Ridge, or Apalachian mountains, where he built a small house, called Greenway Court, and laid out one of the most luxurious farms, consisting of arable and grazing lands and meadows, two or three miles in extent, that had ever been seen in that country. Here he resided for the remainder of his life, practising on a large scale the bounteous hospitalities of an English country gentleman, and diffusing the benefits of his superfluities over the whole surface of the country. His manners were plain and unaffected ; and although costly suits were sent out to him every year from London, he never put them on, preferring that rougher costume which better corresponded with his out-of-door habits. But he did not limit his beneficial influence to the good he was enabled to do as the proprietor of so extensive a district. He was lord lieutenant and *custos rotulorum* of Frederic County, presided at the county courts, keeping open table during the session, and acted as surveyor and overseer of the public roads. Hunting was his chief pleasure, and in pursuit of it he frequently traversed distant parts of the country, entertaining at the inn or ordinary where he took up his residence all the gentlemen who attended him. He was so universally beloved for his liberality, and for the constant efforts he made to improve the condition of the people, that during the war which soon afterwards broke out between Great

Britain and America, he was treated with marked respect by both parties.

But the Indians were not as tolerant of his good qualities as the English and the Americans. General Braddock's defeat, in 1755, stimulated the Indians, who were in the French interest, to commit the most lawless and sanguinary outrages upon our back settlements. Wherever they moved they brought burnings and massacres on their track. Every planter who enjoyed the advantages of an influential position was marked out for murder ; and as Lord Fairfax was distinguished above all others by wealth and power, his scalp became an object of peculiar interest to these merciless savages. They made daily inroads in the neighbourhood of Greenway Court, and no less than three thousand lives were sacrificed in the conflicts that ensued. The most serious apprehensions were entertained for the life of Lord Fairfax ; and his friends and the gentry of the colony urgently importuned him to retire for safety to the inner settlements. A few years before this time, his nephew, Mr. Thomas Martin, second son of his sister Frances, had gone out to reside with him, and now bore the commission of Colonel in the militia. To this gentleman he submitted the question as to whether they should face the danger or forsake their settlement. "I myself," he said, "am an old man, and it is of little importance whether I fall by the tomahawk of an Indian, or by disease and old age ; but you are young, and, it is to be hoped, have many years before you. I will therefore submit it to your decision whether we shall remain where we are, taking every precaution against the outrages of the enemy, or abandon our

habitation, and retire within the mountains. If we determine to remain, it is possible, notwithstanding our utmost care and vigilance, that we may both fall victims; if we retire, the whole district will immediately break up, and all the trouble and solicitude which I have undergone to settle this fine country will be frustrated, and the occasion, perhaps, irrecoverably lost." Colonel Martin, after some deliberation, determined to remain. Fortunately the government adopted decisive measures for the protection of our settlements against the depredators; and the perils which these valiant men had thus resolved to encounter gradually disappeared.

A man, leading a life so sequestered and so opposed in its daily employments to the usages of the society in which Lord Fairfax had been educated, may be supposed to have acquired some singularities, for which, in ordinary cases, this sort of wild retirement might suffice as an explanation and excuse. The chief singularity noticed in the behaviour of Lord Fairfax was his conduct to women. He is said to have been reserved, restrained, and embarrassed in their company. This was perhaps natural enough where the occasions of enjoying it were so rare. But in him it was to be traced to remoter and deeper causes. Early in life he had formed a passionate attachment for a lady of rank; was duly accepted; and the marriage preparations had gone so far that he had provided carriages, dresses, and servants for the occasion. But before the contract was sealed a more flattering offer shook the constancy of the lady; there was little time to waver, so little that it is difficult to understand how she could have wavered at all; yet short as the interval was it blighted the

hopes of Lord Fairfax. The lady, unable to resist the temptation that solicited her pride to commit a flagrant wrong against her own honour, preferred the higher dignity of being a duchess to the inferior station of baroness. Her heartless conduct made a lasting impression on the mind of Lord Fairfax. It was a wrong of that kind which all men resent according to their natures—in violence, or dumb suffering, or haughty revenge. Lord Fairfax fled from the whole sex, and showed his sorrowful sense of the injury he had received from one woman, by the uneasiness which he ever after betrayed in the society of others.

Sometimes, however, it seems he was capable of controlling this feeling, which never wrought itself into a morbid sensibility ; and on these occasions he displayed that refinement of manner and ease of breeding which he had acquired in the circles of Leeds Castle, at the university, and in the army. “I was present,” says Dr. Burnaby, “when, upon a visit of ceremony to Lieutenant-General Tanquier, who had lately arrived from England, Lord Fairfax was introduced to his lady, and nothing of the kind appeared to justify the observation. He remained at the palace three or four days, and during that time his behaviour was courteous, polite, and becoming a man of fashion.”

Lord Fairfax discharged the duties upon which he had entered in his Virginian estates with unwearied zeal and extraordinary success. The Northern Neck was better cultivated, better peopled, and in all respects exhibited a more flourishing surface under his management than any other section of that part of America ; and having lived to see his efforts for the improvement



of these distant possessions crowned with prosperity, he died universally lamented about the beginning of the year 1782 in the ninety-second year of his age.

The barony now devolved on his only surviving brother Robert, seventh Lord Fairfax, to whom he had already assigned Leeds Castle and his other English estates. He married twice, but, dying without issue, bequeathed Leeds Castle and its appendages to the Rev. Denny Martin, who subsequently took the name of Fairfax.

Upon the death of Robert, Lord Fairfax, his nephew, Brian Fairfax, who lived in Virginia, and had entered into holy orders, came to England to prosecute his claim to the peerage. This gentleman was the eldest son by a second marriage of Mr. William Fairfax, who had so long acted in the capacity of manager of the estates of the Northern Neck.

Mr. William Fairfax, by his first marriage, with the daughter of Major Walker, had two sons, George-William and Thomas, and two daughters. His first wife, upon her deathbed, requested him, after her decease, to marry Miss Deborah Clarke, her most intimate friend, under a conviction that she would be a kind and faithful guardian to her children. Mr. Fairfax complied with this desire, and by his second marriage had two sons, Brian and William, and a daughter. There were, consequently, two elder brothers between Mr. Brian Fairfax and the peerage.

George-William, the eldest, had been sent at an early age to England for his education, and on his return to Virginia married the daughter of Colonel Cary, of Hampton. Some estates in Yorkshire having devolved

to him in 1773, he came to England to take possession of them. In the meanwhile, the American war broke out, and his Virginian property being sequestered, he received no further remittances from that quarter of the world. Under these reduced circumstances, he laid down his carriage, diminished his expenditure, and retired to a private house at Bath, where he died in 1787. Having no issue, he bequeathed his estates in Virginia to the second son of the Rev. Brian Fairfax.

Thomas, the second son of Mr. William Fairfax, entered the Navy, and was killed in action in the East Indies in June 1746. By the decease of these gentlemen, the Rev. Brian Fairfax became next heir to the title.

That he experienced difficulties in the establishment of his claim, may be seen from the following letter, written during his visit to this country, and containing some interesting allusions to the members of his family :

LORD FAIRFAX OF CAMERON TO THE EARL OF BUCHAN.

MY LORD,

I RECEIVED your favour of the 10th of October in due time, and delayed writing again from time to time, notwithstanding the encouragement your lordship has been pleased to give me, in hopes of being able to give an account of the termination of the business which Mr. Erskine has kindly undertaken. He now thinks it better to have it referred to the House of Lords, that it may be entered on record, because, as he rightly observes, thirty or forty years hence my sons may not be able so well to establish my right as I can now, when the witnesses are living, especially as he says I cannot do it now by voting for one of the sixteen peers,

or any other act by which it may be perpetuated, the mere introduction to Court being insufficient; so that I have waited longer, until the meeting of Parliament. Mr. Chalmers has written for a copy of the patent, and Mr. Erskine has also, I believe, to my Lord Hawke, who is one of my brother's executors, in hopes of getting the papers of the Towleston estate, which having been entailed upon a Lord Fairfax, my great-grandfather Henry, and his son Henry—my brother dying in possession of that estate is a proof of his descent from him. I can also have the testimony of three or four who personally knew my father, my brother, and myself. Yesterday, by the help of the Bishop of London, I found Captain Mackenzie, whom I formerly knew in Virginia, as well as I did his father; and what is very extraordinary, he knew me as soon as I entered the room, and before I declared myself, though we had not seen each other for forty years, within two months. These, with General Washington's second testimony of introduction, will be sufficient to establish my claim without a doubt.\*

And now, my good lord, you will see how I avail myself of your friendly offer of a correspondence to trouble you with my family concerns. One thing more and I have done. I am afraid I may have said something in my last implying a censure on my good friend, Lord Fairfax, of Virginia, which I did not mean to do, because I loved him as a father, as well as respected him as head of the family. He had a good reason for not leaving me what I believe he once intended; and that was this—a little before he died, and before he made his last will, there was the highest probability that the

\* Anne, the eldest daughter of Mr. William Fairfax by his first marriage, and half-sister to the writer of this letter, was married to Mr. Lawrence Washington, eldest brother to General Washington. An infant daughter was the only issue of this marriage, and she died at seven years of age. Upon her decease, her father also being dead, General Washington succeeded to Mount Vernon, and other Virginian estates, the property of that branch of the family. The widow of Mr. Lawrence Washington afterwards married George Lee, Esq., the head of a family still numerous in Virginia.

proprietary of the Northern Neck would be taken from his nephew, though it was not yet done with respect to himself out of compliment to his old age; and this was a good reason for his leaving to Dr. Fairfax all that he could; and I could mention another reason in his favour. Yet he did keep his word with me, for by a codicil he left me an equal part with his nephews in all his slaves, and to three of my children the succession of three annuities, which he had left to the three Miss Martins at Leeds Castle, of 100*l.* each, out of the estate left to Dr. Fairfax. He had before given me one of his small manors, joining to the estate my father left me, consisting of twelve acres, it being nearly equal to what he had given to his two younger nephews.

I would make one observation with respect to the Walton family. It appears that Charles, Lord Viscount Emelay, left a daughter and heir general, who married to the Lord Widdrington in 1679, so that the heads of two houses, Walton and Denton, left an heiress about the same time; for General Fairfax left an heiress who married the Duke of Buckingham. This is remarkable, especially if we take into consideration that the heads of these two houses in the next century, at or about the same time, left each of them an estate to their respective nephews, who took upon them the name of Fairfax.

I don't find that Mr. Fairfax, of Galling Castle, has sold that place. He has given me an invitation, and I have promised to visit him there, provided I should return to York before he moves into it for the winter. If this should be the case, I shall have an opportunity of seeing what your lordship recommends, and shall take a pleasure in viewing an ancient seat of some of the family.

You are pleased to observe, and very justly, that sufferings tend to perfect us in virtue—they have that tendency, however slow they may be in producing effect. I have the happiness to say with the Psalmist, in respect of the Lord's dealings towards me, "I know that of very faithfulness he hath caused me to be troubled."



I cannot decline the honour, as well as satisfaction, which your lordship affords me in a correspondence ; all I fear is, that in matters interesting or amusing, I may be still more unworthy of it. Be pleased to present my respectful compliments to her ladyship, and accept of my grateful regards for your notice of me, as well for the civilities of all the family here. I took leave of the young couple last night, intending to have written yesterday, but was prevented, and that before I knew of their speedy departure, which was intended to be this morning. Whether this letter may arrive before them I know not.

I am,  
Your lordship's most obedient servant  
and kinsman,

FAIRFAX.\*

*Bedford-street, Covent Garden,  
November 17th, 1798.*

The claim to the barony was determined in favour of this gentleman in 1800, soon after which he returned to America. He married Elizabeth, youngest daughter of Wilson Cary, Esq., of the same family as that of Colonel Cary, to whose daughter his brother, George-William, was married. Between the families of the Fairfaxes and the Carys no less than five intermarriages took place within the course of a few years.

Brian was succeeded in 1762 by his son Thomas, who died in 1646, and was succeeded by his grandson, Charles Snowden, the present and tenth Lord Fairfax.

Looking back upon the history of this family, whose members had distinguished themselves in so many different paths, and served their country in so many different capacities—in the council, in the camp, on the bench, and in the church ; seeing how the various

\* From Mr. Bentley's Collection.

estates of the family were, from time to time, divided and broken up ; Steeton divorced from the rest of the property by an act of disinheritance ; Nun-Appleton, the estate of the Parliamentary General, sold to pay the debts of the Duke of Buckingham ; and Denton Hall, built by the first Lord Fairfax, the ancient manor of the house, Bolton Percy, and other estates in Yorkshire, disposed of to redeem the mortgages of Lord Culpepper ; the gradual dispersion and descent of the family from their former position in England must be felt as fulfilling in a remarkable manner the prophetic fears of the founder of the barony. The title still stands in our peerage books, but the closing line of the record points with startling emphasis to the shores of a distant continent—

*Seat—Woodburne, Maryland, United States of America.*

Upon the death of the Rev. Denny Martin, Leeds Castle passed into the possession of his brother, General Philip Martin, who cut off the entail, and bequeathed the Castle and its territory to its present possessor, Mr. Fiennes Wykeham Martin. This gentleman took the name of Martin upon receiving the estate.

It was in Leeds Castle that the vast mass of correspondence was discovered, from which the succeeding Volumes have been compiled. Mr. Martin having occasion to make some alterations in the Castle in the spring of the year 1822, set apart for sale a quantity of useless furniture ; and amongst the lumber which was thus to be swept away was an old oaken chest, filled apparently with Dutch tiles. It was purchased for a few shillings by Mr. Gooding, a shoemaker,

in the neighbouring village of Lenham. Upon the inspection of its contents, expecting, perhaps, to light upon treasures of another kind, Mr. Gooding found an enormous quantity of MSS., carefully arranged and deposited beneath the Dutch tiles which were piled up to the lid of the box. Mr. Gooding, not attaching any special value to treasures of this description, consigned the papers to a cellar to be destroyed, as occasion served, for waste paper.

It was fortunately suggested to Mr. Gooding to offer the MSS. to Mr. Newington Hughes, a banker at Maidstone, and well known as a collector of antiquities. By this lucky accident the whole collection was preserved, Mr. Hughes becoming their purchaser. But in the mean while some havoc had been committed amongst them. "Some of the parchments," says Mr. Johnson, under whose editorship the First Two Volumes of the Correspondence are now issued, "had been cut into strips for shoemakers' measures ; and a fragment of one, a grant of lands to Sir Anthony Saint Leger, is now before me in the form of a child's drum pelt. Some of the letters Mr. Hughes recovered from the thread-papers of the village mantua-makers ; others had been taken by a gentleman's servant, and had found their way into the collections of Mr. Jadis, of the Board of Green Cloth, and of Mr. Upcot, the well-known collector of autographs. These were nearly all recovered ; and the whole form that valuable and richly illustrated series of manuscripts from which this work has been prepared."

The correspondence, which extends over two centuries, chiefly concerns the affairs of the Civil War and

the period of the Restoration. It embraces all the great events intervening between the accession of the Stuarts and that of the House of Hanover ; and touches, in greater or lesser detail, upon the actions of the principal persons who were engaged in them. The confidential character of these voluminous papers enhances the interest and importance of their disclosures.

From the careful manner in which they appear to have been preserved, it may be inferred that the family were at some pains to conceal the treasures they possessed, under a justifiable apprehension perhaps that the knowledge of the existence of such documents might have led to dangerous consequences. The papers of the family were originally deposited in Yorkshire, and were no doubt removed to Leeds Castle, upon the marriage of the fifth Lord Fairfax with the daughter of Lord Culpepper.

LONDON,

*September, 1848.*



# THE REIGN OF CHARLES THE FIRST.

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## CHAPTER I.

The Fairfax MSS.—Epitaph on James the First, by Edward Fairfax, the Poet—Accession of Charles the First—Dissolution of the Old Parliament—General Election—Sir Thomas Fairfax and Sir Thomas Wentworth stand for Yorkshire—Correspondence connected with the Election—Sir Thomas Fairfax's Letter to the Lord President—Sir George Wentworth to Sir T. Fairfax—Sir Thomas Wentworth to the same—Sir T. Wentworth returned—Sir T. Fairfax buys a Peerage—His Letters to Lord Colville—The Plague rages—Adjournment of the Parliament to Oxford—The Lord Keeper's Warning to the King and Buckingham on its dissolution—Admiral Pennington—His refusal to deliver up the English Ships—Sir Ferdinand Gorge—Empty Exchequer—Necessity for speedily re-assembling Parliament—The enmity between the Duke and the Lord Keeper—Lord Keeper resigns the Seals—Sir Thomas Coventry succeeds—The Parliament re-assembles—Sir Ferdinando Fairfax again returned to Parliament—Letters to his Father—The King nominates Seven Sheriffs—Struggle against their selection—Sir E. Coke objects to the Sheriff's Oath—Proclamations against Papacy—The Coronation—Omens of future evil—Laud assists at the Coronation to the exclusion of Williams—The Parliament re-assembles—King's peremptory Messages—Dr. Turner's Impeachment of Buckingham—The King's Anger—He summonses both Houses to Whitehall—His severity to the Commons—Buckingham's explanation to the House—The Cause of Causes—The Earl of Bristol—Charges against the Duke—Buckingham likened to Sejanus—The King interferes—Sir Dudley Digges and Sir John Eliot committed to the Tower—Buckingham, Chancellor of Cambridge—Imprisonment of the Earl of Arundel offends the Lords—The King dissolves the Parliament—Remonstrance of the Commons—Lord Arundel again imprisoned—Earl of Bristol recommitted to the Tower.

THE earliest date in the Fairfax MSS. is the year 1535 ; and the first document in the collection is a

memorandum in the hand-writing of the first Lord Fairfax, tracing his ancestry back to the Conquest. Eighty or ninety letters and papers of a miscellaneous and desultory character follow, carrying us over a period of ninety years, and having reference, at irregular intervals, to personal and family matters, and to the public duties in which the Fairfaxes were engaged, chiefly concerning the local affairs of Yorkshire, where their influence mainly lay. The historical interest opens at the accession of Charles I., on the 27th March, 1625. From this point the correspondence increases in bulk and value, and presents a continuous view of the important events which ultimately terminated in the establishment of the Commonwealth.

The memory of James I., regarded with just contempt by the nation, appears to have been held in honour by the Fairfaxes, if the poetical judgment of Edward Fairfax, the translator of Tasso, may be taken as an index to their opinions. Amongst the MSS. of this period, there is an autograph epitaph by Edward Fairfax on the late monarch, in which the constitutional weakness of his character is elevated into a kingly virtue, and the indecent profligacy of his court converted into an example of purity. In this curious eulogy, the poet also sets up the doctrine of the divinity of kings, and expresses his gratitude to the dead sovereign for having left behind him such a hopeful heir as Charles, then in the twenty-fifth year of his age.

AN EPITAPH UPON KING JAMES.

ALL that have eyes now wake and weep ;  
He whose waking was our sleep  
Is fallen asleep himself, and never  
Shall wake more till he wake ever.

Death's iron hand has closed those eyes  
That were at once three kingdoms' spies,  
Both to foresee and to prevent  
Dangers as soon as they were meant ;  
He whose working brain alone  
Wrought all men's quiet but his own ;  
Now he's at rest, O! let him have  
The peace he lent us to his grave.  
If no Naboth all his reign  
Were for his fruitful vineyard slain,—  
If no Uriah lost his life  
Because he had so fair a wife,—  
Then let no Shimei's curse or wound  
Dishonour or profane this ground.  
Let no black-mouthed, rank-breathed cur  
Peaceful James his ashes stir.  
Princes are Gods, O! do not then  
Rake in their graves to prove them men.  
For two-and-twenty years' long care,  
For providing such an heir,  
That, to the peace we had before,  
May add thrice two-and-twenty more—  
For his days' travels, midnight watches,  
For his crazed sleep, stolen by snatches,  
For two fierce kingdoms joined in one,  
For all he did, or meant to have done,  
Do this for him—write o'er his dust—  
James the peaceful and the just.

The Edward Fairfax who wrote these lines was the brother of Sir Thomas, afterwards first Lord Fairfax, and distinguished himself in the reign of Elizabeth (to whom he dedicated his translation of Tasso) for his adherence to the Church of England. "I am in religion," he tells us in his book on Dæmonology, "neither a fantastic puritan, nor superstitious papist ; but so settled in conscience, that I have the sure ground of God's Word for

all I believe, and the commendable ordinances of our English Church, to approve all I practise." The facility with which he reconciled this declaration of faith, with his admiration of King James, is as remarkable as the facility of his versification, so highly applauded by Dryden, and imitated by Waller.

The first measure adopted by Charles I. shadowed forth the whole policy of his reign. Having peremptorily demanded an immediate supply from the Commons, and having received in answer an address in which they declared their loyalty to the throne, and their readiness to grant all necessary supplies upon the condition of a redress of grievances, his Majesty abruptly disposed of the difficulty by an immediate dissolution of Parliament.

This act was enough in itself to awaken popular distrust and resentment ; but the elements of discontent had been in agitation long before. A new power had been gradually assuming shape, consistency, and strength—the power of public opinion ; and the arbitrary conduct of the King, at the outset of his career, gave it a sudden and unexpected impetus. The people saw how little reliance was to be placed on his justice or his moderation, and they resolved to avail themselves of the occasion thrown open to them by the elections for the vindication of their rights. The outrage committed on the last Parliament of James was to be redressed by the vigilance of the constituencies in the choice of the first Parliament of his successor.

This was the more essential, as, outside the authority of Parliament, it was vain to contend against the arbitrary proceedings of the King. The constitution was so



undefined, that Lord Clare said that “the *lex loquens* was above book-law ;” and the most sagacious politicians declined a contest with the prerogative, to use the remarkable words of Wentworth, “out of Parliament.” Even the corporate franchises were held at the caprice of the Sovereign, who exercised as complete a control over the springs of public liberty as if the form of government had been a pure unrestricted despotism. The only refuge, consequently, left for the people was in the action of the Parliament upon the will of the King.

Thus, at the very dawn of the reign of Charles I., commenced that struggle which finally narrowed itself in the open field to the two conflicting estates—the King and the Parliament.

At the general election in 1625, Sir Thomas Fairfax stood for Yorkshire, in conjunction with his cousin Mallory and Sir Thomas Wentworth, afterwards Earl of Strafford. The election was severely contested by Sir John Savile and his son, who possessed considerable influence in the county, and owed an ancient grudge to Wentworth, which exposed Fairfax, who was his kinsman, to additional hostility from their opposition.\* Sir Thomas Wentworth, who had previously represented the county, appeared in the popular interest, and it may be inferred that Fairfax was equally committed to the

\* Sir John Savile had formerly been *Custos Rotulorum*, or keeper of the archives, of the West Riding ; but in consequence of having made use of his authority for his own ends, had been displaced, and Sir Thomas Wentworth appointed in his stead. In these transactions Sir Thomas Fairfax had taken an active part against Savile. At a subsequent election in 1621, Wentworth successfully opposed Savile, and a deadly feud was from that time forth engendered between them.

same side. In the following letter to the Lord President, Sir Thomas Fairfax avows his apprehensions as to the result, founded upon the scandalous means resorted to by the Saviles, of which he had had ample experience on former occasions. The letter of Sir Thomas Wentworth which succeeds throws a little further light on the preparations for the contest.

FROM SIR THOMAS FAIRFAX, KNIGHT, TO THE LORD  
PRESIDENT.\*

RIGHT HONOURABLE,

BEING bound to your lordship's service, I cannot omit any occasion that may manifest my duty. Since your honour's going from hence, we perceive that Sir John Savile and his son do intend to stand both to be knights for this shire, this Parliament, as also Sir Thomas Wentworth, my cousin Mallory, and myself.

\* The Sir Thomas Fairfax, above-mentioned, was born at the family seat, Denton, in Yorkshire. By his wife, Ellen, daughter of Robert Aske, Esq., he had the following issue, frequently to be noticed in the following pages :—

1. Ferdinando, second Lord Fairfax.
  2. Henry, Rector of Bolton Percy.
  3. William, a Major in the army, killed in 1621, whilst defending Frankendale, in the Palatinate.
  4. Charles, residing at Merston.
  5. John, killed in the Palatinate, 1621.
  6. Peregrine, killed at Rochelle, 1621.
  7. Thomas, killed in Turkey, the same year.
  - 8, 9, 10. Three sons who died young.
  11. Dorothy, married to Sir William Constable, Bart.
  12. Anne, married to Sir George Wentworth, Knight, of Woolley, Yorkshire.
- The father of this distinguished progeny died in 1640, aged 80, some years previously to which he had been raised to the Scotch Peerage as Baron Cameron.

The Lord President of the North, to whom Sir T. Fairfax addresses this letter, was the Lord Scroope.

For the advantage of the first, scandalous and seducing letters are written: a copy of one of them I here inclosed send to your lordship, that you may perceive if strength do fail, policy (though with untruths) must supply them. And by these means, as if the state of religion did lie upon the stake, they will no doubt accumulate such a multitude of people in those well-disposed towns of trades, as they will be powerful; neither can the falsehood of the suggestions appear; for at the day of election shouts, not reasons, must be heard.

These stones (they say) are cast at William Mallory, who, I know, will most substantially acquit himself of the guilt; for he doth daily make good testimonies of his sincerity. This I thought good to signify to your honour.

The writer of this letter is John Savels, curate at Woodkirk. Thus desiring to know wherein I may be commanded by your lordship, I humbly take my leave.

TO HIS MUCH HONOURED FATHER-IN-LAW, SIR THOMAS  
FAIRFAX, AT DENTON.

SIR,

I MUCH rejoice to hear of your safe return from London, and would be glad to know of the continuance of your health by this bearer. All the gentlemen within this wapentake of Stancross are very firm as well for your election as Sir Thomas Wentworth's, save only Sir Francis Wortly, who hath something wronged you and your cause, but himself more. He hath entreated all his neighbours and friends for Sir Thomas Wentworth, but not one for you, Sir; his reasons you may know by Mr. Scott's letter to Sir Ferdinando.

Sir, I was upon Friday at Woodhouse,\* where you were kindly remembered. Sir Thomas Wentworth told me he had written a letter to you, and expected an answer; he intends to-morrow to dine with Sir Francis Trapps, where he is desirous to meet you. Sir, all your friends in this part of the country are well, God be thanked. My father commends his service to you, and would have been glad if you had been pleased to shorten your journey at Woolley; my child (I thank God) is well, and more healthful than formerly he hath been; and so entreating your prayers for both him and me, I rest with the remembrance of his respects, who will ever remain,

Your observant son-in-law,

GEORGE WENTWORTH.†

*Woolley, July 25th.*

Sir Thomas Wentworth sent my Lord-Keeper's (Williams) letter to my Lord Dunbar: he used his man very honourably, and so told him if Sir Thomas had but sent his own letter, it should have served him. Sir Francis Cooke and Sir Edward Letch are labouring my Lord of Arundel and Pembroke's people.

TO MY VERY WORTHY AND MUCH ESTEEMED FRIEND,  
SIR THOMAS FAIRFAX, KNIGHT, AT DENTON.

SIR,

By reason the Parliament is adjourned to Oxford the 1st of August (which will now be the day

\* Woodhouse, the seat of Sir Thomas Wentworth.

† This is Sir G. Wentworth of Woolley, who married the second daughter of the first Lord Fairfax, and must not be confounded with Sir George Wentworth, brother-in-law to Sir T. Wentworth, afterwards Earl of Strafford.



of our election at York), it was impossible to stay the writ, for then my Lord-Keeper (Williams) would have been liable to a just complaint, the House wanting their members, through his not issuing the writ so soon as he ought. Monday come fortnight, then, is our day ; against which time I assure you I will prepare all the strength I can possibly make you, and labour it hourly with all the means I have. You will be pleased to do the like, and before ten days' end, you shall, God willing, hear from me again. I have written to my Lord of Cumberland and my Lord Clifford, in both our behalves.\* It should be handsomely infused into the gentry how much it concerns them to maintain their own act, and that the whole kingdom looks not only whether Sir John (Savile) be able to carry it against you and me, but indeed against all the gentlemen too besides. The other freeholders should, by some fit instruments, be let to understand that they have reason to stand to the first election, by reason we were put forth by a faction for serving them honestly and boldly ; the little cause they have to choose Sir John, that did so apparently wrong them by bringing in apprentices, and such as had not voice, much to their danger and prejudice, and that since hath been the author of putting the country to this second trouble, which will, in the consequence thereof, more harm the country than all his services will ever recompense. I purpose, God willing, to be with all the friends and freeholders I can make at Tadcaster, about two o'clock in the afternoon,

\* These were the father and brother of Sir T. Wentworth's first wife. Their chief celebrity arises from this connection, and being so nearly related to the celebrated Countess of Dorset and Pembroke.

where I entreat, if you come from Denton, that you would meet me, to the end we may go in together. If you be at York then, I pray that your friends and freeholders may all stay for me at Tadcaster, with the other that are for me, that we, at least I, may have their company in with me. The freeholders must be thoroughly dealt with, not to stir out of York before they be polled. It were very fit, in my opinion, that two hogsheads of wine and half a score of beer were laid in within the Castle, for the freeholders, who will be forced to stay long, to refresh themselves with this hot season. If you approve of it, I will take order it shall be provided ; in truth, I think it necessary. Thus desiring to hear from you by the bearer, I remain,

Your very affectionate and assured friend,

T. WENTWORTH.

*Woodhouse, this 16th of July, 1625.*

These two letters from my Lord of Northumberland, I pray you send away with all speed ; I have already sent away his lordship's letters to Mr. Stapleton and Mr. Kay.

The result of this election was the return of Sir Thomas Wentworth, and the defeat of Fairfax. The Saviles had employed the same resources which they had brought to bear at former elections, and which Sir Thomas Wentworth evidently anticipated they would resort to again. Such was the corruption to which the Court party did not hesitate to descend, that shameless attempts were made to swamp the freeholders by troops of apprentices. "If it be tolerated," said Sir Richard

Beaumont, in a letter to Wentworth, "that there shall come six, seven, nay, ten apprentices out of a house, this is more like a rebellion than an election." It was, in fact, a significant hint of the rebellion the King was preparing against the rights of the people.

Wentworth's triumph was of short duration. The Saviles petitioned against his return, and succeeded in annulling the election. The debate upon the validity of the return was distinguished by some remarkable features. Eliot and the popular party supported Savile ; and the Court, beginning to dread the talents of Wentworth, threw its influence into the opposite scale. Wentworth was not insensible to the advantages of the new alliance ; and when the next election for Yorkshire was about to take place, he prepared himself with confidence to contest the representation again ; but was arrested in the midst of his arrangements by finding himself pricked for Sheriff of the county, an office which rendered him incapable of serving in Parliament. Other marked men were got rid of by the same trick, the exclusive merit of which was attributed to Buckingham, who, in addition to party motives in the selection, was actuated by personal animosity against Wentworth. Coke declared that the gentlemen who were thus excluded might serve for other places out of the range of their duties as Sheriffs ; but Wentworth, although he was solicited to join Sir Francis Seymour in an election, and had the borough of Pontefract to fall back upon, declined to engage in a contention with the Court on this point.

Sir Thomas Fairfax, thrown out for Yorkshire, consoled himself for his defeat by looking for honours of

another kind. His eldest son, Ferdinando, had been returned for Boroughbridge ; and, with that stake in the House of Commons, and his own wealth and influence to strengthen his claim, he entered into negotiations for a peerage. It was a simple matter of bargain on both hands. The King wanted money, Fairfax a title ; and, with this clear understanding, there was no difficulty in adjusting the arrangement. The “services” upon which Sir Thomas founded his claim are enumerated in a paper copied from the original by his son Sir Charles :—

REMEMBRANCES OF SOME OF MY FATHER'S SERVICES, TRAN-  
SCRIBED OUT OF A PAPER OF HIS OWN HANDWRITING.

1. The first opportunity which I took to satisfy my desire in the sight of his Majesty (the late King James, deceased), was when Sir Francis Walsingham was ambassador in Scotland, at which time I came to Berwick with the Earl of Essex, but the return of the ambassador prevented my going on.

2. The next was with my Lord Wotton, at which time I (having given two horses to my Lord of Leicester) was sent to present them to the King, who used me graciously. At which time, a place falling void at Berwick, and some moving her Majesty for me, received this answer :—“She would put no Scots there whilst she lived.”

The winter after, I attended the Earl of Leicester into the Low Countries, who gave me a troop of horse there, which within few months he withdrew, by reason of a letter from Sir William Keith, which was inter-



cepted, importing his hopes that I would do good offices for his Majesty amongst the men of war ; as also that his lordship did hear I had spoken with some of them to prepare them to his Majesty's service (in due time), as Sir William Keith did write, which being known, my lord said, might bring him in question for his head, he having so many enemies who, knowing my nearness to him, might conceive it was with his privity.

3. In 1588, I went into Scotland without leave, hearing his Majesty was in action, suppressing the rebellion of the Lord Maxwell, where I did offer my service to his highness.

4. I went with the Lord Lisle into Scotland, uncommanded.

5. I did likewise go with the Earl of Worcester thither. Being senior captain of Sir Francis Vere's first regiment of foot, I, leaving my own company with my lieutenant, did enter the great ravelin at Groyning, amongst the Scots, in rank with Colonel Murray and Captain Brogue, to express my love to that nation, no stranger entering that breach but myself and one to attend me.

I continued so long in Berwick with my Lord Willoughby, until the Earl of Essex did think my being there might bring a suspicion upon (the said) Lord Willoughby.

In the declining age of her late Majesty, Queen Elizabeth, I moved the Earl of Exeter (then our president) to keep in store two thousand arms at York, lest they might have been abused by some seditious, knowing his lordship's mind (to the good of the King and the land) by divers private conferences betwixt his lordship and me.

6. After I had proclaimed his Majesty, I went into Scotland with six of my nearest kindred, to swear loyalty to his Highness.

Since (as a lame man might do) I have sometimes waited on (but always prayed for) his Majesty.

Sic subscribitur,

T. FAIRFAX.

The certificate of the Earl of Leicester, concerning his services in the Low Countries, is not at present to be found.\* Nor any papers of his services in France or Germany. Neither (here mentioned) that he was (*pro tempore*) Governor of Amersford. This only (or principally) relating to Scotland. He had first a company of 200 foot in the Low Countries, by commission from the Earl of Leicester, dated May the last, Anno 1586, and afterwards the troop of horse which formerly belonged to Sir Thomas Morgan.

The negotiations for the peerage were discreditable to all parties engaged in it; but it is only fair to acknowledge that Sir Thomas Fairfax comes out of the business with cleaner hands than the hucksters of the Court. It appears that the amount agreed upon to be paid for the Scotch barony of Cameron was 1500*l.*, Sir Thomas expressly stipulating that he should be exempted from all charges in the way of fees. The money being paid over and the matter finally settled, he accom-

\* "I, Charles Fairfax, have the copy of my Lord Willoughby's letter to the Principal Secretary of State (Sir John Stanhope) wherein he makes his request to the Queen that he may resign his government of Berwick and those Marches to my father, the transcript whereof my lord sent him."—*Fairfax MSS.*

modated the agents “with bags and other commodities to pack the moneys in ;” and then sent them off to the post-town with horses and servants, so thoroughly satisfied with his treatment of them, that they promised to send him some remembrances of “pistols and other things.” Considering the nature of the article in traffic between them, the commercial formality with which the bargain was struck and concluded is worthy of special admiration. Having thus bought a peerage, and paid for it, Sir Thomas imagined that he had earned a clear right to enjoy it unmolested ; but he had hardly assumed his title, when the people who had so handsomely carried away his bags and the other commodities, and forgotten to send him the promised pistols, reminded him that the fees for his patent were undischarged, and that it was furthermore indispensable for him to be naturalised in Scotland, where his barony lay, and to contribute towards the plantation of another Scotland, in the New World, where he had neither a barony nor the expectation of one. His indignation upon the receipt of these usurious demands was very great, as might have been expected, and exploded in the following characteristic letters to Lord Colville :—

THOMAS, LORD FAIRFAX, TO LORD COLVILLE.

MY VERY GOOD LORD,

I DID, about six weeks since, write to your lordship by the post-master of Borowbridge, in answer of letters which I received from Mr. James Colville, your kinsman, who did signify unto me that the fees for my patent were undischarged ; and that his Majesty’s officers

did expect them from me, which is directly against my agreement, both as I did signify to your lordship in my letters from Stilton, and to Mr. Colville himself, when he came by my house in his journey towards London. At which time he seemed to more require a gelding of me than the 1500*l.* promised towards the charges of the patent. Whereunto I answered that if the patent were not freely delivered into my hand without one penny charges more for fees, soliciting, or whatsoever, I would refuse it, for I was then offered a better title for the same sum ; yet because of the noble respect which I have long time borne to your lordship, I would perform my word with you, which Mr. Colville undertook on your lordship's behalf, desiring that I would advance the second payment a little sooner, which was the 500*l.* promised by my letters to your lordship, within six months after 1000*l.* were paid. I told him I had some moneys, which, if I might spare, I would pay with the first payment. Coming from London, he did show me the bill assigned. Afterwards he and a worthy gentleman, one Mr. Calunder, brought me the patent ; upon receipt of which I did deliver unto them to your lordship 1500*l.*, for which I have their acquittances.

I did accommodate them with bags and other commodities to pack the moneys in. I sent my horses and servants to Borowbridge to carry the money and attend them, for which Mr. Colville promised me some remembrances of pistols, and other things which I am careless to mention.

The next news which I heard from Mr. Colville after his arrival in Scotland, was a letter that I must be made



denizen of that kingdom, also that I must contribute towards the plantation of New Scotland in America, and that his Majesty's officers and servants had put me in the senate for the fees of my patent, but he had taken course to stay proceeding until I were advertised. Truly, my lord, I dare adventure my life that your lordship is not acquainted with these things ; and I assure myself that the letter which I did lately write unto you was not delivered, though I think it came to Mr. Colville's hands. But having now sent my servant for a certain messenger, I doubt not but your lordship is so noble as to take that care for discharge of these fees as I would do in the like if it did concern you. Thus kissing your lordship's hands, I take leave.

Your lordship's humble servant,

T. FAIRFAX.

*Denton, 12th April, 1628.*

THOMAS, LORD FAIRFAX, TO LORD COLVILLE.

MY VERY GOOD LORD,

SOME letters which I received from Mr. James Colville is the cause of my now sending to your lordship. The contents of one was, first, that I must be made denizen of that kingdom ; secondly, that I must contribute to the plantation of New Scotland ; thirdly, that I must pay fees to his Majesty's officers for my patent. To the first, I answer, the patent enables me ; for the second, my dwelling exempts me from the necessity ; and the third is directly against my covenant ; for your lordship knows, and none better than Mr. Colville, that I

did refuse, if I might not have it freely delivered upon payment of the sum agreed upon.

My letter from Stilton did intimate so much to your lordship (a copy of which I have) : my speeches with Mr. Colville, when he went for the bill assigned, expressed the same. How I have performed, both Mr. Colville, and that worthy gentleman, Mr. Cullender, do know, and their acquittances will show. I did, not long since, write to your lordship, from my house at York, but I have received no answer ; so, as I think, the letters have miscarried, and also I do assure myself that your lordship doth not know of these letters of Mr. Colville's. I know you are too noble not to perform with any man, much more with an old friend, who, if he had hearkened to another's motion, might have had better penny-worths. Thus, not doubting but to find you as you have ever been—truly noble—I take leave. Resting,

Your lordship's brother and humble servant,

T. FAIRFAX.

*Denton, this 16th of April, 1628.*

I pray your lordship let my servant bring some testimony that the officers be satisfied, because Mr. Colville writes that they have put me in suit for the fees. I forbear to write of some tokens which Mr. Colville did promise to send me from your lordship and himself, in regard of some accommodation which he had of me, besides the advancing of the payment before the time agreed upon.

These letters appear to have brought this disgraceful negociation to a close ; for Sir Thomas remained Lord

Fairfax of Cameron, and we find no further remonstrance against attempted extortion.

In the mean time the new Parliament had assembled on the 6th of February, 1626. The first measure they adopted was the appointment of two committees of inquiry—one of these, ominously enough, being selected to sit upon the grievances of the country ; while the determination which they brought to their proceedings was plainly expressed in their vote upon the King's Tonnage and Poundage, which, instead of being granted as heretofore for the life of the Sovereign, was restricted to the term of a year. The popular members did not rest here. They openly declared their dissatisfaction with the state of affairs, and went so far as to state that they expected not only the national grievances to be redressed, but the unpopular minister of the day to be removed.\*

The Plague was now raging to such an extent in London, that Buckingham proposed an adjournment to Oxford, a measure which was opposed by the Lord Keeper, who apprehended that it would still further exasperate the members. But Buckingham despised the warning, and “bade him (the Lord Keeper) and his confederates do their worst.”†

On the 1st of August, both Houses assembled at Oxford. The Lord Keeper's fears were realised. The Commons assailed the Duke as the chief promoter of measures in favour of the Papists ; and the King, in spite of a fresh remonstrance from the Lord Keeper,

\* A Subsidy was really a Property Tax, being levied on urgent occasions upon every one according to the value of his lands or goods.

† Hackett's Life of Lord Keeper Williams. Part II. 14.

dissolved the Parliament after a short meeting of twelve days.

The hostility of the Commons against Buckingham was founded upon a knowledge of the fact, that the Duke had actually sold a part of our navy to the French King, to be employed by him against his Protestant subjects ; and also that the Court party had been tampering with the popular leaders, a manœuvre which was unreservedly acknowledged by the Lord Keeper.\*

The sale of a portion of the navy (an act nearer to treason than the worst crime for which Strafford was impeached) took place while the Parliament was sitting at Oxford. The late King had promised the aid of our navy to the French, on condition that it should be employed only against Genoa, and that the majority of men on board should be English. Admiral Pennington, in the *Vanguard*, while lying off Dieppe, was ordered by Buckingham and Sheriff Conway to deliver up his ship to the French monarch ; an order which he peremptorily refused to obey. Money, dignities, were offered to him by the French envoy in vain. Threats made as little impression. His dignified reply was, "I will not deliver over my ships." They menaced him with death ; but, said the valiant sailor, "I had rather the King should take my life, than to have a hand in the surrendering or undervaluing such a bulwark of the kingdom." The crew were so outraged that, without

\* Hackett, II. 17. The two members named were Sir Robert Phillips, one of the members for Staffordshire, and constant leader of the reform party despite his imprisonment in the Tower ; and Sir Thomas Wentworth, already noticed, and afterwards more distinguished as Earl of Strafford.



waiting for orders, they got up the anchors and set sail for England, the Admiral naïvely observing, "I must confess I heard what they were doing, but let them alone, because I saw they had reason."\*

Buckingham ordered him to return forthwith and give up the fleet to the French. Pennington had now no excuse for disobedience, but upon endeavouring to carry his orders into effect, the crews of the vessels mutinied, and he had to resort to force to compel obedience. All the ships were given up, except the *Neptune*, commanded by Sir Ferdinand Gorge, who returned with her to England, despite the fire opened upon him by the Admiral. This may have been mutiny, but the Court was evidently afraid to try the question, for Sir Ferdinand was never called to account, and Buckingham avoided the inquiry which he dreaded, by observing that "it is not always fit for kings to give account of their counsels."†

\* Pennington to the Duke of Buckingham.—*Cabala*, 350. There could be no truth in physiognomy if Sir John Pennington had not been brave, generous, and pious. Nothing would induce him to serve against the King, and he was superseded by the Earl of Warwick. Pennington died in 1646.

† Rushworth, I. 192.—At the same time he pleaded that he could fully exculpate himself, if he were permitted to reveal "a State Secret." His apologist, Mr. D'Israeli, who ventures so far as to say "Buckingham was certainly always English in his feelings," states that the ships were never intended to act against the Protestants, and quoting from Gerbier, Buckingham's own creature, he repeats the statement that Pennington returned from Dieppe to the Downs in consequence of an order in cipher from Charles. But no one who reads the Admiral's earnest and noble defence of himself on that occasion in acting contrary to the Duke's orders, will believe that Buckingham had any knowledge of this. When Charles received accounts that peace was being concluded between the French King and his Protestant subjects, as Mr. D'Israeli states, he then commanded Pennington to return to Dieppe and give up the ships to French officers. Even supposing this to be true, it was a higher misdemeanor thus to surrender our Navy. But no one for an instant can believe that Buckingham did not well know that the ships were destined to act against the Protestants

The Parliament, which openly resented these acts of treason against the country, was dissolved; but the necessity for its speedy re-assembly soon became manifest. The Exchequer was almost empty, expensive hostilities had to be maintained, and no sufficient subsidies had been granted. The King attempted to raise the requisite supplies by a summary exercise of his prerogative; but failed. The Lord Lieutenants of the counties were directed to inquire "by any means or instruments they liked best," of the sums of money that persons within their counties, "exclusive of noblemen," were able to lend to the King; and letters under the Privy Seal were directed to all such persons, ordering them to pay the sums at which they were thus assessed into the hands of certain named receivers.\*

During the cessation of Parliament, Buckingham, released from the fear of his legislative pursuers, had nothing to check him from his resolve to overthrow the Lord Keeper. The mother of the Duke had warned Dr. Williams of the impending blow, as well as of him who had stimulated her son to the enmity. "St. David's (Bishop Laud) is the man," said the old Countess, "and he would underwork any man in the world that he might rise."† In vain did the Lord Keeper entreat the King not to take away his favour upon groundless sus-

after the letter from the French King to Pennington, which letter was communicated to the Duke, commanding the admiral "to go and to join with his great fleet against his rebellious subjects."—*Cabala*, 348. Buckingham asked the Parliament at Oxford "to judge by the event," and upon that datum his condemnation is complete, for the ships were employed against the Protestants at Rochelle, and according to the Frenchman's own testimony, "the Vanguard mowed them down like grass."—*Rushworth*, I. 337.

\* Rushworth, I. 196.

† Hacket, II. 19.

pitions entertained by other men, but all the leniency he could obtain was, that he should be required to resign the Great Seal on the pretext that he had held it for three years, a term King James considered long enough for any Lord Keeper to retain his office. There was little consolation in this, for as Dr. Williams's biographer observes, "whether it come from a black or white whip, the wound will be blue." He had to resign the Seals, and at once "felt the heaviness of this lightness—a cashiered courtier being like an almanack of the last year, remembered by nothing but the great eclipse."\* Sir Thomas Coventry succeeded to the vacant office; a sound lawyer, "unaided by principle, yet knowing how to preserve a certain reputation for honesty."†

The counties were so unanimous in declining to contribute to the illegal taxation attempted by the King, that a forcible exaction of its payment dared not be attempted. This was most painfully distressing to the Court party, for their pecuniary embarrassments were exasperated by the delay of the means of payment; and, as a last resource, the Parliament was re-assembled. It was summoned in February, 1626, but even those who were thus compelled to submit to its re-assembly, could not have hoped that the members, so lately dismissed with contumely, would return forgetful of that treatment, or unconscious of the weakness which this speedy recal confessed.

Sir Ferdinando Fairfax was again returned to the Parliament by the burgesses of Boroughbridge, and immediately after reaching London he addressed to his father these two letters :—

\* Hackett, II. 26.

† Campbell's Lives of Chancellors, II. 510.

TO THE RIGHT WORTHY MY VERY GOOD FATHER, SIR  
THOMAS FAIRFAX, KNIGHT, AT DENTON, THESE.

SIR,

MY continuing lameness has kept me these eight days from Parliament; I thank God it mends now, and I hope shortly to be able to stir abroad.

I made Sir Richard Hutton\* acquainted with the contents of your letter, who seems very well contented with his place, and gives you many thanks for your respects of him; he desires his company may be as near him as may be, and is resolved shortly to be in the country with it. George Clapham was gone into the country before I received your letter. My Lord Scroope is now at Brackley, but had your letter before he went, of which I hope I shall be able to require an answer at his return to town.

I was divers times to wait on him, but could never find him within. His lordship is pleased to follow the course of other Lieutenants of counties, which is to get all Deputy Lieutenants within their governments released of their Privy Seal;† and therefore, Sir, you need not pay, or if you have paid, the collector may re-deliver it, who I doubt not by this time hath special directions to forbear such. Sir John Ogle is now in physic, and his lady has a fever. The Council of War has given us no account of the moneys issued, nor whether their resolutions in general were followed. They were thrice called, and the two first times made cautious answers,

\* Sir R. Hutton was of Goldesborough, in Yorkshire, where he had a good estate, descended from his father, of the same names, and a Justice of the Common Pleas.

† Directing them to assist in raising loans for the King's use.



protracting time, and at last each of them came with their answer in writing, fair writ, referring us to the letters, and letting us know, that touching their advice, whether it were followed or no, they held themselves by the Act not compelled to give any answer thereunto. The King hath writ to the Speaker to put us in mind of our promise to relieve him in so ample a manner, as to make him secure at home and feared abroad ; indeed, our hopes of ease in grievances drew from the Commons this large promise, which he is pleased to require without conditions, yet puts us in hope of a Kingly care to redress them. If we give nothing, we not only incense the King, who is in his own nature extremely stiff, but endanger a ruin of the common-weal, as things now stand ; and if we do give, it may perhaps not be employed the right way, and the more we part with, the more we shall want another time to bestow. If we give nothing, we must expect to be dissolved, and live in apparent danger from abroad ; if we give little, we must expect little from his Majesty in ease of our requests, and not be secure from our enemies. The proportion must make all things well or ill, and what this will be I yet know not, for Monday next is the day appointed to begin this business, and without any intervening matter to proceed till we make an end.

The King demands a large sum for provisions at home and abroad against the enemy, for eight months, at least, yet to come, and to continue the charges which he hath already been at, viz., to the King of Denmark 30,000*l.* a month ; to Count Mansfield 20,000*l.* a month ; and to the States 9000*l.* a month—these abroad.\* At home,

\* These expenses were to maintain our allies in a war against Germany, to

he requires for the setting out of forty ships to guard our coasts, and for the army of 10,000 men, to be always in readiness when an invasion may be threatened, which now lie in the western parts, and to be employed with the ships as occasion shall need ; all which amounteth to about a million. My Lord Wimbledon is in good esteem at Court, and has given such satisfaction to the Duke (of Buckingham), that his grace commends my lord's carriage, who, it seems, did as much as his commission did warrant him, punctually. Yet will he never cast off the aspersions which the captain and soldiers lay upon him in doing that little with little judgment and less advantage.\*

Sir, I received this note from one of the clerks of the Star Chamber, who will not give any copy of Sir John Savile's Bill until some be served of the defendants, and answer to it ; neither would he have given the names, but to a special friend who got it for me. If it please you to advise with Sir Thomas Wentworth and the rest for a cross bill, he may be served with a *subpœna* before the next term, and so both come together to a hearing in Michaelmas Term, when the parties must be present. Sir, when the Parliament shall either end

recover the Palatinate. The Palatine and King of Bohemia was the husband of the King's sister.

\* This version of the failure against Cadiz, differs materially from the narratives given by Franklyn and Rushworth, and which fully accord with the opinions expressed by his own officers and soldiers. Having with him a fleet of 80 vessels and 10,000 soldiers, yet he did no more than land, take a fort, and then retire. He was created Baron Cecil of Putney, and Viscount Wimbledon in 1625, having been known previously as "Sir Edward Cecil, Knight, and younger son of the Earl of Exeter." He was thrice married ; but having no surviving male issue at the time of his death, in 1638, the title became extinct. This expedition against Cadiz was in the interval between the last and present Parliament.

or be adjourned, which I think will be within three days of Easter, I shall have time, I hope, to satisfy you in this and many other things. As yet I could not get to see either my Lord of Mulgrave or Sir John Ogle at their own houses, or meet them where I could have any time to speak much with them, which I would not have neglected, but that I am assured they will not take it for any want of respect. I think my Lord President will instantly return into the North (though he has small hopes of holding his place longer than to part with it upon convenient terms),\* and it is said all the Lord Lieutenants shall do the same into their governments; for it is conceived we shall have an alarm within these six weeks from Spain and Flanders, upon some coast; and this is not to affright the Parliament for more supply, but some assurance the seamen have that the Spanish fleet will bend this way. I pray God they may be deceived, as I hope they are, seeing some conceit it to be to draw the King of Denmark home; howsoever, it is most certain the fleet is the greatest which Spain ever had, and now ready to put to sea.

Sir, I must humbly entreat your pardon for these confused lines, for I was somewhat interrupted in the writing them, and have no leisure to alter them. Your hat was sent by the last messenger; the man of whom I bought it did promise me to convey it sooner; if you

\* Emanuel, Baron Scroope of Bolton, was the Lord President of the King's Council in the North, here alluded to. About two years subsequently to the date of this letter, he was created Earl of Sunderland; but this title became extinct upon his dying without issue by his wife, Elizabeth, daughter of John Manners, Earl of Rutland. Sir John Ogle was his Deputy President. Lord Scroope was quite correct in his fear that the Lord Presidency would be taken from him. He was removed to make way for the Earl of Strafford.

mislike either the colour or fashion, he will provide you with another, or repay the money.

Thus, Sir, humble craving your blessing, I take leave.

Your ever obedient and humble son,

FER. FAIRFAX.\*

*Strand, this 24th of March, 1625.*

SIR,

I CAN give you no good account of our proceedings: we do nothing of what the common-weal may receive benefit, and that we intend is still furthest off. We have sat now four months, and the Parliament seemed to end with the first of them. Then we had some good bills ready, and were resolved to give subsidies—now we know not where we are. And certainly his Majesty will refuse his moneys rather than satisfy

\* Ferdinando, subsequently second Lord Fairfax, was afterwards member for the County of York, and General of the Parliamentary forces there, when the Civil War commenced. His biography will appear more fully from the letters which will hereafter appear in these pages. He died on the 13th of March, 1647-8, aged 64, and lies buried in the church of Bolton Percy in Yorkshire. His first wife was Lady Mary Sheffield, daughter of the Earl of Mulgrave, and by her he had the following children :—

1. Thomas, third Lord Fairfax, the celebrated Parliamentary General.
2. Charles, a Colonel of Horse, killed at Marston Moor, in 1644.
3. John, who died young.
4. Ursula, who died unmarried.
5. Elizabeth, married to Sir William Craven of Lenchwicke, in Worcestershire.
6. Eleanor, married to Sir William Selby, of Twisel, in Northumberland.
7. Frances, married to Sir Thomas Widdrington, of Cheesebrow Grange, in Northumberland.
8. Mary, married to Henry Arthington, of Arthington, in Yorkshire, Esq.
9. Dorothy, married to Edward Hutton, of Popleton, in Yorkshire, Esq.

He married, secondly, Rhoda, daughter and heiress of Thomas Chapman, Esq., of Stafford, and by her had issue, one child—

Ursula, married to William Cartwright, the younger, of Aynho.



our expectations in the Duke,\* whose greatness, power, and courses make us still conceive no safety so long as he continues at this height, or is in danger of further growth. We shall desire by some remonstrance to part fair, and make appear to the world our readiness to the work required, where have been the stops, upon what occasions, and by whom, and when this is done be readier for a conclusion when the King shall please.

The Duke's late election in Cambridge to be their Chancellor gave a great distaste to the House of Commons, who took it as an affront in the midst of their complaints, to have one chosen whom they had impeached, and stood accused of high treason, and other heinous crimes. This gave occasion of conceiving a letter to the University, to give some account of their proceedings herein ; but his Majesty interposed as a thing solely belonging himself to reform, if there were any abuse, which has made a stay of that business, so as still we find the tenderness of the Duke to be touched. My Lord of Arundel comes to Parliament, but not to Court, nor Council-table ; the places he had during the King's pleasure are taken from him ; the Marshalsea being for life he still enjoys.†

My Lord of Bristol‡ carries himself wisely and

\* Duke of Buckingham.

† The King had arrested the Earl of Arundel ; but the Lords demanding that he should be set at liberty, his Majesty had released him the day before the date of this letter.

‡ John Digby, Earl of Bristol, here alluded to, was a royal favourite, displaced by the Duke of Buckingham ; and between them there thenceforth arose a most determined hatred. They impeached each other ; the Duke commencing in this mutual charge of treason ; " but the Earl," observes Walpole, " repelled and worsted him, and afterwards showed greatly among the discontented in Parliament ; but the violence of that Parliament soon disgusted his solemn disposition ; for he who was not supple enough for a Court, was by far too

boldly, and if he make not the articles good, desires the punishment which may be due unto the Duke ; who yesterday presented a modest answer in writing to the House, wherein some things he seems to excuse, and for the rest he pleads the two general pardons, that of twenty-one Jac., and this last of the coronation. This day the House sent for a copy of his answer, because we reserved a liberty to reply if need were, but the Lords have not yet sent it, otherwise I had given you more particulars of it.

Mr. John Lowther, who serves for Westmoreland, and hath done the Duke some good offices this Parliament, was knighted on Tuesday last, and made of the council in Sir George Ellis's place. His good friends make his conditions easy.

The letter which came to Daniel Foxcroft, Joseph Harrison and the rest from Sir John Savile, was with much ado started out of Daniel's pocket yesterday and read, which concurred verbatim with the copy formerly delivered. Sir John denies the subscription, denies the effect, and lays the blame on his son Edmund, who should do it without his privilege ; yet confesseth a letter which he caused Benson to write at the same time much to that purpose. Harrison was examined at

haughty for popularity. He finally joined the royalist party ; and died in exile after its final overthrow. His death occurred at Paris, in January, 1652-3.

To the Parliament, whose proceedings are the chief topics of this letter, the Earl of Bristol had received no summons, the Court being fully conscious of his enmity to its ducal favourite. Of this the Earl complained ; and the King, acknowledging his right, sent him a summons, but accompanied it with an order to remain at his country seat. He petitioned the House of Lords to inquire whether their liberties and privileges were not infringed by this order ; and this was followed by the King impeaching him for high treason. In self-defence the Earl impeached the Duke of Buckingham ; and to this the letter before us alludes.

the bar, who so juggled in his answer as he was in great danger of being committed. He hath till Monday given him to declare who writ the superscription which he pretended then not to remember; and the same day Sir John is to make his answer, who to all men doth seem faulty enough, yet I think will come off very clear; for this same day we had a letter from his Majesty, the consideration of which is referred to Monday, which being of greater consequence will drown the less; the effect of which letter is briefly this:—

That we could not forget how often he had called on us for aid, and with what patience expected it; that the time of the year was far spent, and that he was advertised from all parts of the enemy's readiness to assail us; that the subsidy bill should be presently brought in and past without any conditions before the end of the next week, which done we should take our own time for recess, and dispatch of business now on foot; if not, he must be forced to other resolutions; and if we delay he would esteem it as a denial, and think himself discharged before God and man with this admonition, if any evil consequence fell out, which was very much to be feared. This, Sir, I think, has set a period to our time if we satisfy not, and what will be done, God knows. Our many interruptions have hindered the preparing of our greatest grievances, and though in this time they may be fitted for his royal hand, yet are we not to expect an answer of them until we have given, which is flat against the order entered when the subsidies were first promised. The higher House will be also taken short, if we demand judgment of the Duke, who only hath put a plausible answer in writing,

but nothing made good by proof or any other way which may conduce to his clearing to future times. His Excellency (the Palatine) doth not stir yet, neither is their enemy on foot, and it is thought little will be done this summer. There is great want of victuals, which makes the Spaniard quiet: the King of Spain is said to have a fleet of 200 good ships now ready to put out. He sent for pilots and mariners from Dunkirk, who are gone over land into Spain. His preparations are supposed northwards; and if I should fear they intend for some of the King's dominions, it is the same which councillors of state are pleased to intimate, and suffer a common discourse of, for what end I know not.

It is said that Tilly (who was supposed slain) hath lately given a cruel blow to the Duke of Brunswick, but the manner we cannot certainly hear.

Sir, I sent the money you left for my son\* to Cambridge, after I had laid out some for his bedding, a note of which I sent down the last week by Bellingham, who went to his sick mother; and though I have not heard from Cambridge yet, I perceive by my cousin (who had letters from his tutor) that he is well and likes the place. Sir, I must humbly thank you for the charge you are pleased to be at for his good breeding, which I shall ever really acknowledge in heart, though my lines or speech do not so often express it as I have occasion to mention him. Sir, I shall humbly desire your blessing, and rest

Your ever obedient son,

FERDINAND FAIRFAX.

*Lincoln's Inn, this 9th of June, 1626.*

\* This was Thomas Fairfax, afterwards the Parliamentary General.



These letters present an accurate and candid statement of the actual points at issue between the King and the Parliament, and show us clearly the practical difficulties against which the latter had to contend. Results of the gravest import depended on the discretion and firmness of the representatives of the people. Parliament had declared from the first that the supply should be conditional on the redress of grievances. The King had ample notice and warning of that resolution, yet still persisted in refusing all conditions and demanding aid; declaring, in the last extremity, that if it were not granted, he should think himself discharged before God and man if any evil consequence fell out, which was much to be feared. "The King," says Sir Ferdinando, "is in his own nature extremely stiff;" and it was becoming every day more evident that there was no chance of any relaxation of the royal obstinacy.

If the Parliament had yielded in the slightest degree to the system of menaces which his Majesty pursued, the great principle for which they were contending must have perished. Had they, on the other hand, acted with rashness or impetuosity, they must have equally perilled its safety. But their conduct was regulated by so sound a judgment, that, without forcing a collision for which they were then unprepared, they continued calmly and steadily to vindicate their privileges; and always contrived, by the skill with which they shaped their proceedings, to put the King and his minister in the wrong.

The stratagems employed by Buckingham for weakening the power of the Commons had no other effect than

that of increasing their vigilance. The attempt to exclude from the House some of the ablest advocates of reform, by nominating them to serve as sheriffs—already alluded to in the case of Wentworth—was the most ingenious of these devices ; but, like all the rest, it only recoiled on the Court party, and added fresh items to the bill of popular impeachment.

As the law was then interpreted, a sheriff was obliged to reside within his county during his entire shrievalty, and, as a consequence, incapable of election to serve in Parliament. Taking advantage of this, when the names of those nominated to serve as sheriffs were brought to the King, “he declared that he had the names of seven that he would have sheriffs, and so named them himself, Sir Edward Coke, Sir Thomas Wentworth, Sir Francis Seymour, Sir Robert Phillips, Sir Guy Palmer, Sir William Fleetwood, and Mr. Edward Alford, and my Lord Keeper set them down.” These had been all strenuous opponents of the Court, and all struggled hard to be excused from the appointment which disabled them from renewing the warfare against prerogative oppression. Sir Arthur Ingram, writing to Sir Thomas Wentworth, says,—“You had the endeavours of your poor friend to have prevented it, but I think if all the Council had joined together in that request, it would not have prevailed : the King said you were an honest gentleman, but not a tittle to any of the rest. My poor opinion is, that there did not anything befall in the course of your life, that is and will be more honour to you in the public, who speak most strangely of it.”\* Sir Arthur was right in his

\* *Strafford's Letters*, I. 29. Sir A. Ingram was enabled to give this infor-

judgment. The men thus singled out by the Court as the acknowledged objects of their fears, became the idols of the people.

Sir Edward Coke fought against his selection like a lawyer, and like a profound one too. He was pricked sheriff for Buckinghamshire, but elected, notwithstanding, as knight of the shire for Norfolk, and his was not the spirit to submit without a struggle to be deprived of the office he coveted, and thrust into one which he desired to avoid. He commenced the contest by objecting to the sheriff's oath, hitherto taken in ignorance of its signification, that it bound him to oppose "Lollardy," or the Protestant religion ; and the judges to whom it was submitted were unanimous in determining that it should be omitted, as being inserted when "the religion now professed and established was condemned for heresy."\* The alteration being made, Coke and the rest submitted to take the oath. Then came the question whether those elected were entitled to take their seats. The Parliament met on the 6th of February, 1626, and the King expressed a hope that a new writ would be issued for Norfolk, Sir Edward Coke being returned contrary to the tenor of the precept. The case was referred to the committee of elections and privileges, who reporting that there were conflicting decisions as to the eligibility of a High Sheriff of one county to serve in Parliament for another,

mation, as being the King's Cofferer. Bishop Goodman speaks of him as charitable and wealthy, but not as a praiser of the Court to which he was attached. Lloyd, in his "State Worthies," says that "Sir Arthur had wit in Italy, where he was a factor, and wealth in London, where he was a merchant, to be first a customer, and then a cofferer to the King."

\* Croke's Reports, Car. 26.



the matter, after some further search, was allowed to rest. No fresh writ for Norfolk was issued, but the object of the Court party was attained, as Coke did not take his seat.\*

At the same time that the Court took these measures for removing from the popular party its most able leaders in the House of Commons, it endeavoured to propitiate popular favour by affecting a sudden zeal for Protestantism. This was the weak point of the Commons, which had opened its first session with an order that every member should take the sacrament as a test of his Protestantism—a weakness considered in connection with the principle of human liberty for which Parliament was struggling, but a weakness, nevertheless, which, in that age, contained the secret of the strength and the coherence by which the struggle was carried to its triumphant issues. Various proclamations were issued in order to check the papal religion, and even the Arminianism of Dr. Montagu was threatened with the most pious rigour. But the leaders of the reform party were not to be diverted from their course by the baits thus thrown out by the King. They accepted the new Protestant enthusiasm of the Court in silence, and

\* The House evidently considered him as member *de facto*, but not *de jure*. A sheriff may now sit even for his own county, if elected before he was appointed to the shrievalty, for he must not return himself. He may sit for any other county, and even a borough within his own bailiwick, provided it is a town and county within itself, as is the borough of Southampton.—*Johnson's Coke*, II. 174. The Earl of Bristol and the ex-Lord Keeper, Dr. Williams, Bishop of Lincoln, did not receive a summons to attend the Parliament, which called from the latter this sarcasm—"What then? Am I made High Sheriff of Huntingdonshire? Such little policies are frivolous, and may serve among huntsmen to save the life of a hare, when a few of the old dogs are tied up and not brought into the field."—*Hackett*, II. 70.



continued with unabated energy to prosecute the redress of grievances.

The Plague having passed from London, after sweeping away more than thirty-five thousand of its inhabitants, it was considered desirable to carry off attention from graver subjects by the pageantry of the coronation. But it was a dismal failure, and produced an impression all over the kingdom ominous of future evil. So exhausted was the Royal Exchequer, and so slender was the confidence reposed on the liberality of the Parliament, that although three days divided the two ceremonies, part of the usual procession was omitted "to save the charges for more noble undertakings;" an omission which was regarded as premonitory of a reign doomed to calamity and humiliation. Then again, instead of the long customary robes of imperial purple, Charles chose to assume a dress of white satin; a well-intentioned emblem of purity and of bridal union with the state, but misinterpreted to be an augury of the martyr's robe, and "that he should divest himself of his regal majesty."\* Nor was this all; for the accidental breaking of one of the golden dove's wings was looked upon as "a maim of the emblem of peace," and the remarkable text selected for the occasion by Dr. Senhouse,—“I will give thee a crown of life,” (Rev. xi. 10) was long after remembered as an omen of the monarch's fate; more especially as the theme of the sermon was the vanity of all things sublunary,† and was “as if the King were to listen to his funeral sermon when he was

\* Heylin's *Life of Laud*. The coronation was on the 2nd of February, and the opening of the Parliament on the 6th.

† Fuller's *Church Hist.*, Book XI. 121—124.

alive, as if he were to have news when he was to be buried."

Buckingham and Laud at the time thought it a triumph over the Prelate of the Tribunes, Dr. Williams, not only that he should be excluded, though Dean of Westminster, from assisting at the coronation, but that he should be made to minister to his enemy's substitution in his place. But Laud lived to rue the prominent part he assumed in that ceremony ; one of the charges which brought him to the scaffold being founded upon the changes he introduced into the coronation oath. Buckingham, however, was to be the first victim ; he had been warned not to exasperate the popular party ; he had been warned not to be so great a pluralist of offices ; he had been warned to go with the Cadiz expedition, or its failure "would be laid wholly on him ;" and he had been warned not to incur the odium of ill-success by personally interfering in the hopeless negotiations for recovering the Palatinate. All these admonitions he neglected ; he scorned all checks to his own headstrong impulses, and he had now to learn the oft-taught lesson, that "he who wrestles with the world has his neck broken at the first fall."

The Parliament assembled, and skirmishing at once began between prerogative and privilege, by the King sending to the Commons to hasten their vote of supply. The message was peremptory and the reply evasive ; the one asked for money "without more loss of time," and for a sufficient sum too ; for, added the mandatory request, "we will accept no less than is proportionable to the greatness and goodness of the cause ;" \* the

\* Rushworth, I. 219 ; Parl. Hist. II. 48.

answer presumed that his Majesty would first "accept the faithful and necessary advice of his Parliament." But here they were mistaken, for the King at once replied,—“I must let you know that I will not allow any of my servants to be questioned among you, much less such as are of eminent place, and near unto me. I wish you would hasten for my supply, or else it will be worse for yourselves ; for, if any ill happen, I think I shall be the last that shall feel it.” \*

Proud and, therefore, weak words were these, of which, if remembered, he must fully have felt the folly some twenty years later. They now fell unheeded upon the ears of the Commons, and the same day Dr. Turner rose and propounded six questions, the answers to which involved the impeachment of Buckingham.† They were founded upon general report, and it was first debated whether an accusation so sustained could be entertained by the House. The argument that common fame was a good ground of proceeding was maintained by the ablest speakers on the opposition side — Noy, Eliot, Wentworth, Littleton, afterwards Lord Keeper, and his intimate friend Selden. The arguments of this last named great lawyer and lover of liberty, is a fair representation of the data on which they grounded their opinion. They were not debating, he said, whether they could impeach before the House of Lords upon common fame, but whether it justified

\* Rushworth, I. 219 ; Parl. Hist. II. 48.

† Dr. Samuel Turner was member for Shrewsbury. Sir P. Warwick says, rather bitterly, “He (Dr. Turner, a physician,) was an inconsiderate as well as an inconsiderable courtier-dependant, familiar with, and usually divertizing the Court Lords,” *Memoirs*, 16 ; but Wotton describes him as “a travelled doctor of physic, of bold spirit and able elocution.”



inquiry, and surely it did, otherwise no great culprit could be brought to justice. He drew an apt illustration from mythology that the faults of the deities were undetected until the goddess Fame was born ; and he shewed that the principle was consonant with the practice of the civil law and the canons, all accusations being brought upon report to be subsequently sustained by evidence.

It seems like a desertion of Buckingham, even by his friends, that not one state officer spoke in opposition to the motion, the Chancellor of the Duchy alone expressing a negative opinion, and that not until he had been asked.\* The King was bolder ; he summoned both Houses to Whitehall on the 24th of March (the day on which the first of the foregoing letters of Sir Ferdinando Fairfax was written), and, after thanking the Peers for their care of the State, told the Commons he was sorry that he could not thank them also, and then handed them over to the castigation of the Lord Keeper. His lordship did not mitigate, by any subdued expression, his annunciation of the royal opinions and intentions, but told them that the King “understood the difference between council and controlling, and between liberty and the abuse of liberty ;” and, after testifying his approbation of the Duke, and his condemnation of Dr. Turner, added, “It is therefore his Majesty’s express commandment that you cease this unparliamentary inquisition.” Then turning to the question of supply, for which they had voted him three subsidies, and three-fifteenths, (the bill to be brought in “when they had presented their grievances and received an answer to

\* Parl. Hist. VI. 438 ; Johnson’s Life of Selden, 118.



them,") he employed language as authoritative, and by which a modern Chancellor of the Exchequer would not certainly endeavour to sustain his budget. "His Majesty commandeth that you go together, and by Saturday next return your final answer what further supply you will add to this you have already agreed to ; and that to be without condition either directly or indirectly ; and, if you shall not by that time resolve on a more ample supply, his Majesty cannot expect a supply this way, nor promise you to sit longer together."

Charles did not think that even this lecture was quite pungent enough, so before he dismissed these men of "irregular humours," he added "remember that Parliaments are altogether in my power for their calling, sitting, and dissolution ; therefore, as I find the fruits of them good or evil, they are to continue, or not to be."\*

Sunday afforded a period of calm reflection even to Charles and Buckingham, and feeling that they had been somewhat mistaken in their own temper as well as in that of the House, the Duke came on the Monday to explain and to apologise, concluding with an anticipatory vindication of himself—a vindication eloquent, specious, and, yet, which might all be true, without removing from himself the gravity of one offence with which he was charged. The necessities of the Court were so pressing that his peroration was perhaps justly upon the topic of supply—a prophetic peroration of which he did not live to see the fulfilment. "If your supply," said Buckingham, "answer not your promises and engagements to my master, you will

\* Rushworth, I. 229.

make this place, which hath been in peace when others were in war, the seat of war when others are in peace." \*

The Commons presented a vindictory address to the King, and then, after a short recess, passing by these attempts to divert their efforts, pursued firmly the course upon which they had entered. The management of the Duke's impeachment, which in their journal is characterised as "The Cause of Causes," was confided to Sir Dudley Digges, Sir John Eliot, Mr. Herbert, Mr. Glanville,† Mr. Whitby, Mr. Pym, Mr. Wandesford, and Mr. Selden, with sixteen other members as assistants, and on the 8th of May, the House informed the Lords that they were ready to proceed.

But this was not the only attack directed against Buckingham's honour and life, for the Earl of Bristol, a week previously, had exhibited against him twelve articles, charging him with high crimes and misdemeanors. There now remains no doubt that Buckingham dreaded the revelation of secrets which it was in the Earl's power to make. The Earl had been his country's representative at the Court of Spain, and there is abundant evidence to show that it was to thwart the successful conclusion of his negociation of a marriage between the Infanta and Charles, that Buckingham persuaded the latter to accompany him to the Spanish Court; in that visit which, under the assumption of the romantic, never rose above the impolitic and absurd.

\* Rushworth, I. 234.

† Mr. Glanville, because he had, in the previous Parliament, declared his disapprobation of the Duke, was sent as secretary of the fleet to Cadiz, "to punish him by drawing him from his profession, the law, under colour of an honourable employment."—*Remonstrance of House of Commons*, Rushworth, I. 405.

Immediately upon the return of the Earl of Bristol from his embassy, unblamed, unwarned, and without any specific charge set forth in the warrant, he was committed to the Tower. This was in 1624 ; but even the enmity of Buckingham failing in its lynx-eyed search after a justification for his detention, he was speedily discharged ; not, however, until he had adopted the then unusual course of appealing for redress to the House of Commons. His petition was presented to the representatives of the people in a manner equally unusual, being brought to the bar of the House by his son, a child of surpassing beauty, who, though but twelve years old, made a very marked impression upon the members by the evidently genuine feeling and graceful propriety with which he announced that he was the bearer of an appeal on his parent's behalf.\* Though liberated from the Tower, yet he received the royal mandate to remain at his country residence, and not to attend the Parliament. From this restraint also he appealed, imploring the King to bring him to a public trial, that he might clear his innocence or be proved a traitor ; but this clear stage and no favour did not satisfy the suggestions of Buckingham's fears. The Duke would be satisfied with nothing less than a confession of error, under a promise of pardon, which would answer the two-fold purpose of shielding himself and disarming his dreaded

\* This child, George Digby, afterwards second Earl of Bristol, is not the only character in history or in fiction whose life was a tissue of vacillation and inconsistency. Splendid in ability and absurd in practice ; benevolent, yet the constant agent of misery to others ; the chivalrous champion of honour, yet the propagator of deliberate falsehoods ; the advocate of Protestantism, but a convert to the faith of Rome ; the most eloquent orator for popular rights, and then the panderer to kingly prerogative.



adversary. But the Earl firmly resisted the compromise, and even James told his imperious favourite—"I were to be accounted a tyrant to enjoin an innocent man to confess faults of which he is not guilty."\* Yet James went to his grave without having the courage to give the innocent man an opportunity for vindication.

The Earl, by his appeal to the House of Commons, shewed that he appreciated the rising power of the people ; and seeing that with the new reign its power still flowed onwards and set still more strongly against his arch-foe, he became yet more bold in his efforts for redress. He complained to the House of Lords that his writ of summons had been withheld, and when they had sufficiently resented this infringement of "the privilege of his peerage," he again complained that with his summons he received a letter from the Lord Keeper, conveying the King's mandate that "his personal attendance upon Parliament was to be forborne,"† but he disregarded this command, came to London, and was permitted to take his seat.

Buckingham foresaw the coming attack, and resolved to secure the first pass at his adversary ; but Bristol was too much on the alert to allow him to have this advantage, for early in April, and before he took his seat, he had petitioned to be heard upon "his accusation of the said Duke." Therefore, when the Attorney-General, Sir Robert Heath, attended at the bar of the House, to charge the Earl of Bristol with high treason, the Earl

\* Rushworth, I. 263.

† Parl. Hist. VI. 479 ; Rushworth, I. 242. Another enemy of the Duke's, the Bishop of Lincoln, was also excluded from Parliament by not being summoned. He did not vindicate his right until the next Parliament, probably waiting to see which triumphed—Bristol or Buckingham.



arose and claimed that his charges against the Duke, and against the Secretary of State, Lord Conway, should have priority of hearing ; “and that their lordships would not invalidate his testimony by the King’s charge against him.” Nor had Bristol come unprepared, for he at once tendered his articles in writing against the Duke and the Secretary, and required them to be read.\*

The very first decision of the Lords indicated that Buckingham’s power was declining ; for they resolved that all three of the impeachments should be read, giving no more effective precedence to that against Bristol than that it should be read first. This amounted to nothing more than a mere form of courtesy, for they also resolved that though the King’s charge against the Earl should be first heard, yet it should not intercept his testimony against the Duke, which was not to be “prevented, prejudiced, or impeached by that proceeding.” Thus intimating that they would hear both causes before delivering their judgments on either.

The charges and countercharges were briefly these : The Duke charged the Earl with giving false information relative to the intentions of the Spanish Court regarding the alliance of the Infanta with Prince Charles ; that he had persuaded the latter to adopt her religion ; and that his ill-conduct of the negotiation had compelled the Prince to travel to Madrid. These were trivial enough, but there were others still more insignificant and unnecessary to be detailed.

The charges against the Duke were, that he combined

\* The Earl of Bristol had petitioned, on the 19th of April, to be heard against the Duke ; but the Attorney-General did not impeach the Earl until the 1st of May, nor had the subject been mentioned until April 21st.—*Rushworth*, I. 258, &c.

with Count Gondomar, the Spanish Ambassador, to convey the Prince into Spain, and there to effect his conversion ; that, by raising hopes of that change in the breast of the Spanish Court, he had prevented a successful termination of the negotiation ; and that he had promoted a correspondence with the Pope to obtain that conversion. This was the gravamen of the impeachment, for the other charges were scarcely of more public consequence than that he had disgusted the Spanish Court by his licentiousness.

When the Earl had concluded reading his charges against the Duke, Lord Spencer inquired, "Is this all?" and, finding that no more remained to be enforced, he rejoined, "Then, if this be all, *ridiculus mus est.*" Lord Cromwell, anxious to retail this witticism, hastened to the House of Commons, and finding Lord Spencer's youngest son, inquired, "Dick, what is done in your House to-day against the Duke?" "My lord, he is charged with high treason." "High treason! Dick," replied Cromwell, "if this be all, *ridiculus mus!*"\* But the retailed witticism now failed in its application, for the charges preferred by that House were of a deeper import than Bristol's compound of personalities and misdemeanors. They involved trafficking in the sale and purchase of public offices, in which "money stood for merit;" neglect of official duty; extortion; delivering our Navy into the hands of the French; misemployment of the public revenue; and administering forbidden medicines to the late King.† The Earl of Bristol had

\* Hamon L'Estrange's Hist. 29.

† The last charge seems to have excited Buckingham's fears so much, that an information was preferred against him in the King's name in the Star

moved that, to reduce them to equal terms, the Duke should be committed to the same custody as himself—that of the Usher of the Black Rod ; but the House of Commons resolved to apply for his committal to the Tower ; without waiting for which, however, on the 8th of May, they opened their impeachment, and during three days it was urged upon the attention of the Lords with that learning and eloquence which such men as Digges, Glanville, Selden, Pym, and Eliot had at command. Of these, Sir Dudley Digges and Sir John Eliot were the most impassioned and severe. To the first was intrusted the proëm of the charges, and to the second their peroration. It is said, when Sir Dudley came to name the common cause of the country's distress and discontent—"which, as in one centre, met in one great man"—that the patriot senator paused ; but it was a pause of emphasis, not of trepidation ; and after enumerating the titled trappings of him he bearded in his stronghold—trappings sufficient to fill more than one page of a herald's volume, he poured forth that bold sketch and condemnation, for which the Court showed its resentment and its weakness by committing him to the Tower.

Of all the speeches, that of Sir John Eliot was the most able and most pungent ; but we can find space only for these, its concluding passages :—

Chamber, wherein he was charged, amongst other things, with this offence of administering medicines unwarrantably to King James. The Duke put in his answer, and several witnesses were examined ; but the Duke was assassinated before a judgment. It is obvious that none but friendly witnesses were examined, and the whole was intended to give the Duke the advantage of the plea of *autrefois acquit*. Upon this point of our national history I have spent much research, and yet remain in doubt whether the evidence preponderates for or against the charge.—*Johnson's Life of Selden*, 251.



“Your lordships have an idea of the man ; what he is in himself, what in his affections. You have seen his power, and some, I fear, have felt it : you have known his practice, and have heard the effects. It rests, then, to be considered what, being such, he is in reference to the King and State ? How compatible or incompatible with either ? In reference to the King he may be styled the canker in his treasure ; in reference to the State, the moth of all goodness. What future hopes are to be expected, your lordships may draw out of his actions and affections.

“I will now see, by comparison with others, to what we may find him likened. I can hardly find him a match or parallel in all precedents, and none is so like him as Sejanus, who is thus described by Tacitus :— ‘Audax, sui obtegens, in alios criminator, juxta adulator et superbus.’ To say nothing of his venericies, if you please to compare them, you shall easily discern wherein they vary ; such boldness of the one hath lately been presented before you as very seldom or never hath been seen.\* For his secret intentions and calumniation, I wish this Parliament had not felt them, nor the other before. For his pride and flattery, it is noted of Sejanus that he did ‘clientes suos provinciis adornare.’ Doth not this man the like ? Ask England, Scotland, and Ireland, and they will tell you. The pride of Sejanus was so excessive, as Tacitus saith, that he

\* Buckingham had dared to attempt an intrigue with the Queen of France, when he visited Paris to escort back to England Henrietta Maria. There is too much reason to believe his advances were encouraged. It is quite certain that the French King’s jealousy was aroused, and that Buckingham was forbidden again to visit his Court.—*Mémoires de Motteville*, I. 231 ; *Cabala*, 253 ; *Bassompierre*, *Clarendon*, &c.



neglected all council, mixed his business and service with the Prince's, seeming to confound their actions, and was often styled 'Imperatoris laborum socius.' How lately, and how often, hath this man commixed his actions, in discourses, with actions of the King's?

"My lords, I have done ; you see the man ! only this which was conceived by the knights, citizens, and burghesses, should be boldly by me spoken :—That by him came all these evils ; in him we find the cause ; and on him we expect the remedies ; and for this we met your lordships in conference ; to which, as your wisdom invites us, so we doubt not but in your wisdom, greatness, and power, we shall, in due time, find judgment as he deserves.

"I conclude by presenting to your lordships the particular censure of the Bishop of Ely, reported in the 11 Richard First, and to give you a short view of his faults. He was first of all voted to be luxurious ; secondly, he married his own kindred to personages of highest rank and places ; thirdly, no man's business was done without his help ; fourthly, he would not suffer the King's council to advise in matters of state ; fifthly, he grew to such a height of pride, that no man was thought worthy to speak unto him ; and, lastly, his castles and forts he confided to men obscure and incapable. His doom was this—Through the entire island was it publicly proclaimed that he should perish who had hastened all things to decay ; that he should be overthrown lest he should overthrow all." \*

The impression made upon the peers by these addresses

\* *Periat qui perdere cuncta festinat, opprimatur ne omnes opprimat.*—*Rushworth*, I. 360.

was deep and lasting, and they were proportionably obnoxious and irritating to Buckingham and the King. "By comparing the Duke to Sejanus," said Charles, "he must intend me for Tiberius ;" \* but instead of making allowances for the fervour of the advocate, and permitting the path to justice to be trodden unhindered, the King condescended to mingle in the struggle, and descending from his throne of ultimate appeal, to be an unjust and tyrannical partisan even in this opening inquiry.

At the conclusion of the impeachment, and before Sir John Eliot and Sir Dudley Digges had left the House of Lords, they were beckoned from its floor, and committed to the Tower upon warrants issued by the Privy Council.† Nor was Charles satisfied with this flagrant breach of the liberties of Parliament. Entering the House, almost as soon as the arrest had been perpetrated, he mingled in the proceedings as a herald of his own despotism, and as a witness for his favourite—"I have thought fit," he exclaimed, "to take order for punishing some insolent speeches lately spoken. I have been too remiss, heretofore, in punishing such speeches as concern myself. Not that I was greedy of their money, but that Buckingham, through his importunity, would not suffer me to take notice of them, lest he might be thought to have set me on, and that he might

\* MS. Letter. D'Israeli's Charles the First, I. 329.

† Sanderson's Life of Charles I. 45. "Not only were they imprisoned, but their lodgings searched and papers seized. They were liberated, however, at the end of a few days, the judges having declared that the arrest was illegal ; but, to gratify the resentment of the Court, under some petty pretext, Eliot was detained in prison some days after Digges had been discharged."—*Rushworth*, I. 366.

come the forwarder to his trial. And to approve his innocency as touching the matters against him, I myself can be a witness to clear him in every one.”\*

Sufficiently ill-judged and indecorous was it for the King thus to throw his weight openly into the balance to favour Buckingham ; but his conduct bore a still more malignant aspect, when the same great influence was employed to the prejudice and embarrassment of his adversary Bristol. He asked the Lords not to proceed *pari passu* in their two cases ; he endeavoured to indict the Earl in the Court of King’s Bench, because, as the law stood, he could then have no counsel, could call no witnesses against the King, and would not be allowed to know beforehand what charges and evidences were to be exhibited against him ; and, further, the King asked that the Earl should not be permitted the aid of counsel. In all these efforts to effect a wrong Charles was foiled, and the answer of the Lords to one of these applications may be taken as their answer to each—“The liberties of the House will be thereby infringed ; the honour and justice thereof declined.”†

Nothing daunted, the House of Commons required that Buckingham should be committed to safe custody ; they refused to proceed with any other business until their two members were released ; they voted that neither of them had exceeded the commission given them by the House ; and they passed a censure upon Cambridge University for electing Buckingham as its Chancellor, at the very time of his impeachment.‡

There is no doubt that that election was sought for as a demonstration of the opinion entertained in his

\* Rushworth, I. 361.

† Ibid. 271.

‡ Ibid. 376, &c.

favour by those in whom centered the learning and piety of the realm. But it failed in its object; for although the King had made known his wish to the University through the Bishop of Durham, that they should elect the Duke, and although all the Court influence was actively employed in his favour, and only four days were allowed to elapse between the death of the late Chancellor and the election of the new, the Earl of Berkshire, who was nominated without his own knowledge, obtained 103 votes, and Buckingham no more than 108.\* Such victories as these were in the last degree disastrous to the King.

But his Majesty, blindly rushing upon destruction, despised the trumpet-tongued warnings which reached him from all quarters. By this decision of the University, the opinions of the Clergy were published to the kingdom; the Commons had already proclaimed the resistance of the people to the despotism of the Throne; and now came a resolution of the House of Peers, which put upon record the hostility of the last Estate of the realm, upon whose allegiance the Sovereign would have calculated in the last emergency. The Church, the Aristocracy, and the People were against him. There was nothing left but to retreat upon the army. But there was much to be done yet before he was driven to that desperate resource.

The circumstance which drew the Lords into direct collision with the Sovereign, was the arrest of the Earl of Arundel by the King, who, proceeding, as usual, with a lofty contempt of the privileges of Parliament, committed that gallant nobleman to prison, without

\* Rushworth, I. 376.



condescending to assign any cause for so tyrannical an act. But the cause was well known, and it was not of a nature to qualify the indignation of the House. The Earl of Arundel had married his eldest son, Lord Maltravers, to the sister of the Duke of Lennox, a lady who had been destined by Buckingham and the King for the heir of the Argylls, a politic alliance, by which they hoped to heal the feud that existed between those families.\* This monstrous interference with the liberty of the subject, on a point of such tender interest, excited universal discontent; and the arrest of the Earl—especially upon such grounds—more nearly touched the Peers, as a violent breach of their privileges. Negotiations were immediately opened on the subject, and their lordships finally entered a resolution to suspend all public business until satisfaction of the outrage should be made in full. The Earl was at length released, but not until the 8th of June; and on the 15th the King revenged himself, after his own fashion, by dissolving the Parliament.

In vain did the House of Peers, in a just and temperate remonstrance, offer to the King their “loyal and faithful advice to continue this Parliament.” Like himself, and all other Stuarts, he was now firm when he should have yielded; and the hasty reply was, “No, not for a minute.” He was implored to give audience to the whole House, to advocate the course their

\* In truth the match, one of mutual affection, had been concocted between the Countess of Arundel and the Duchess of Lennox. At first the liberty of the Earl and his Countess was merely restrained to their own house at Horseley, in Surrey. Lord Maltravers and his wife were committed to the custody of Archbishop Abbott, at Lambeth.—*Sir E. Walker's Hist. Discourses*, 213; *Rushworth*, I. 367.

remonstrance suggested, but the reply was, "I am resolved to hear no motion for that purpose." \* So the commission was issued, the Parliament was scattered, and the King, in a declaration, stated, what all England already knew, that he had dismissed the two Houses because, instead of voting subsidies, they "neither did nor would attend to anything but the prosecution of one of the peers of this realm."

The House of Commons answered this by publishing the Remonstrance which they had prepared to present to the King, if he had not avoided it by the dissolution. That remonstrance, couched though it was in language unexceptionable, has in it all that unsoftened utterance of truth, and that stern forewarning of purpose, which foretold that the time was coming, when either the interests of the people must be more regarded than those of the royal kindred and courtiers, or that they would be struggled for in a fiercer encounter.

Among other memorable and premonitory words, it told the King "that if any do so ill an office as by the misrepresentation of the state and right of your Majesty's loyal subjects, to advise any such 'new counsels,'† as the levying of any aid, tax, or subsidy, among your people, contrary to the settled laws of your kingdom, we cannot, most gracious Sovereign, but esteem them that shall so advise, not only as vipers, but pests to their King and commonwealth. And we shall, for our parts, in Parliament, show, as occasion shall require, and be ready to declare their offences of this kind such as

\* Sanderson's Life of Charles I. ; Rushworth, &c.

† This was a quotation from one of the King's threatening messages.

may be rewarded with the highest punishments your laws inflict on any offenders." \*

To this there could be found no answer ; therefore a proclamation was issued, commanding all copies of it to be burnt, with the ever futile intention "that the memory thereof might be utterly abolished." † And still further to evince that they now intended to rule as they pleased, and that they were kept from wrong only so long as they were compelled to do right, Charles and his minister—for they comprised the government—had Lord Arundel placed once more under arrest, and the Earl of Bristol again committed to the Tower. No delay could be endured in this : they were re-imprisoned the very day the Parliament was dissolved. Private resentment might now be indulged, tyranny might disport itself—Charles was freed from his Parliament—Buckingham was saved—and this was their ovation.

\* Rushworth, I. 408.

† Ibid. 416.

## CHAPTER II.

Letters between Sir Thomas Fairfax and his son Ferdinando—Thomas Fairfax, the Parliamentary General—Letters between the Rev. H. Fairfax and Mary Cholmeley—Her Epitaph—Illegal Taxation—Popular Opposition—Drs. Sibthorp and Abbot—Expenditure of the Supplies—Letter from Sir W. Constable to Sir F. Fairfax—Arbitrary Proceedings—Punishment of those who refused to advance money—Illegality of the Imprisonments—John Selden—The Judges—Chief-Justice Crew displaced—Sir John Eliot—Letters to the Gentry of England—Secret Instructions—Letter of Lord Fairfax to the Lords of the Council—The Poorer Classes summoned to London—Buckingham attempts to debase the Coinage—Letters of Sir J. Ogle and Lord Exeter to Sir T. Fairfax—Expedition against Rochelle—Buckingham is accused of Treachery by the Duke of Rohan—Dissatisfaction of Army and Navy—Their Outrageous Proceedings—Stagnation of Commerce—Sir Robert Cotton's Advice.

DISAPPOINTED of his election in Yorkshire, Sir Thomas Fairfax sat down quietly at his estate of Denton, occasionally visiting London on business, and occupying himself chiefly with family affairs. The pursuit of a peerage had not yet entered into his thoughts ; nor does it appear, from certain somewhat obscure allusions in the letters of this period, that his private circumstances would have justified such an extravagance at that time. The expenses of the election, which must have been considerable, had probably drained him of his ready money, and thrown him in advance of his income. However that may have been, it is clear, from the following letter, written soon after the meeting of Parliament, in 1626, that he had contemplated a second marriage, with a view to retrieve his finances, and that



the design was frustrated by some malicious interference, which he laid to the charge of his son. The letter is interesting also on account of the reference made in it to the son of Sir Ferdinando, afterwards destined to occupy so large a space in the Civil War, and the Restoration.

TO MY LOVING SON, FERDINANDO FAIRFAX, KNIGHT, AT THE  
BOLT AND TUN, IN FLEET STREET, NEAR STRAND BRIDGE.

I HAVE received your letters by the last carrier, together with Mr. Boswell's advice, and am willing to do in the same so much as God hath made me able ; but I conceive the profit (in regard of your son's youth) will not recompense the charges. I will refer this to my friends of better judgments. You know I did intend a way by my marriage to have done good to you and yours, but what your part was in that both you and I know. But since the loss and shame is wholly fallen upon yourself, I think you are punished sufficiently ; and for the untrue aspersions laid upon me, I neither feel or regard them. And as one (whom you flatter) said truly, that he did admire my moderation, so I thank God that I have not the mind to lay such a cross upon my house, as now to take fault for the like. I will say no more, but I am sorry for you and your children, who must suffer in it.

I purpose, God willing, to go shortly to London, and to bring your son up with me, and to dispose him into this or some other course for his education as I shall be advised there. Your letters you shall not need to require their safety ; I am careful enough. When I shall

receive the 20*l*. which you told me you directed Lawson to repay me, I will send you such monies as you have disbursed for me ; in the meantime, let me know so often as you can how things go there, and what you hear of the payment of privy seals. Many be delivered in these parts, and I not forgotten.

I pray God bless you that you may be a comfortable father to your many poor children. I would have dissuaded your expenses in going to the Parliament, but that I hoped you had some more profitable intention.

Your loving father,

*Denton, last of March.*

T. FAIRFAX.

To the charge of having defeated the projected marriage, and thus injured not only his father's fortune but his own expectations, Sir Ferdinando returns an anxious but respectful reply, asserting his entire innocence, and challenging his accusers to the proof. His vindication may be relied upon. Of all men he had the least capacity for intrigue. Sir Ferdinando was evidently a person of honest intentions, and a plain understanding. He was the most prosaic and literal of all the Fairfaxes, and possessed none of those brilliant elements of character by which most of the other members of the family were distinguished in various ways. But his integrity—even in the smallest things—seems to have been unimpeachable. His father hit off his pretensions with sufficient precision, when he said of him—"He makes a tolerable country justice, but he is a coward at fighting." This opinion, however, must be accepted with a qualification ; for Ferdinando had not yet stepped out of his justice's chair to take the command of the troops in the north.

TO THE RIGHT WORTHY MY VERY GOOD FATHER, SIR  
THOMAS FAIRFAX, KNIGHT, AT DENTON, THESE.

SIR,

IF there were no accusations there needed no excuse, and where those are stirred it behoveth every man to be sensible and careful to quiet—much more a son who ought to clear what he knoweth himself innocent of, or groan under the burthen which may be justly laid until the mercy of the offended father shall grant ease ; I must, therefore, in general, humbly crave your pardon, and beg your leave to give my excuse, which, if it may satisfy, I shall think myself most happy in ; if not, yet it is some ease to me to unburthen that heart which could not rest with so deep a charge, but that it feels the comforts of its innocency, and can smile at the envious madness of any false accuser. Be pleased therefore, under my hand, (which, if it prove false, may remain for ever a witness against me), to know that I never did any act, or lay any aspersion to hinder your marriage, which I did never see you intended but where I might well have thought not only myself but our poor family happy by the conclusion ; and truly, Sir, though I feel shame and loss, I hope it is not for my sin in that particular. Neither know I any carriage of mine in that business which will not endure the hardest touch ; and I must justify when I shall understand the charge, the which I cannot yet so much as dream of. I do not know who that man is you are pleased to say I flatter, and to make him the judge in my behalf of your moderation upon such injuries offered. Truly, Sir, I could never yet attain to so much courtship as to flatter the

most deserving, much less any more unworthy. I think virtue cannot well endure to hear it ; and, though it be indeed the proper food of vain humours, it is not every one will serve it up. Whosoever that man be, I shall appeal from him or any other judge to yourself, well informed, and shall account it a greater blessing to be indifferently heard in my answer than the benefit of any estate or patrimony which ever any father left to child without it.

Sir, my letter concerning my son, I think, did not press, neither was Mr. Boswell's advice sent to move your charge, further than you were pleased of your own free bounty to make known before ; and if I had been wanting in performing any duty here which might further your aim in it, I might justly have conceived myself in much more danger of blame : a rock I have ever endeavoured, with the best of my poor wits, to avoid, and have not meddled without plain directions, and even then with much doubting. Sir (I humbly thank you for the favour), it is true when I came up I willed Lawson to repay you the 20*l*. I borrowed, the first monies he got, which I assured myself would be within two months. I have now writ to him again to be careful of it, and beseech you think it not my neglect. This, Sir, I am forced to write in answer of your lines, lest, without excuse, your disfavour should increase against me, which (upon what grounds soever) were to me a great grief, and when I shall know my accuser, which all just courts do allow, and fathers usually permit to their children, I think I shall not be found guilty of so foul a crime.

Sir, I writ lately that my Lord Scroop was content



to ease all the Deputy Lieutenants of the county, since which he did more explain himself, and said he meant only those that made certificates for the loan, and no others. But a late petition, presented by Alderman Belt for York, gave occasion to others to move the Lord Lieutenants for the county, and have taken away the better half, in the whole, and at least two parts for the West Riding, the sum being now agreed on to be but 4000*l.*, out of which the West Riding, without York, is to pay about 1700*l.*, which was before about 5000*l.* Thus, Sir, humbly desiring your blessing, I will pray for your happiness and rest.

Your humble and obedient son,

FER. FAIRFAX.

*Strand, this 8th of April, 1626.*

The son of Sir Ferdinando, mentioned in the preceding letter, became, in after life, the celebrated Parliamentary general, Thomas, third Lord Fairfax. He was born at Denton, the family seat, in 1611, and was therefore in his fifteenth year at the date of these letters.\* His grandfather's proposed scheme of education was to send him to St. John's College, where he afterwards matriculated. But his stay in Cambridge was brief, for within three years we find him serving in the army with Sir Horace Vere before Busse, a service

\* The following entry was in his father's Bible :—"Memorandum. That the 17th day of January, 1611, being Friday, was born at Denton, Thomas Fairfax, the eldest son of Sir Ferdinando Fairfax, and was christened in the chapel at Denton, the 26th of the same ; the Right Honourable Edmond Lord Sheffield, Lord President and Lord Lieutenant in the north, and Sir Thomas Fairfax, of Denton, Knight, grandfathers and godfathers of the said child, and the Lady Ursula Bellasis, great aunt to the said child, was godmother."—*Fairfax MSS.*

which led him to much closer connection with his general's family.

Henry, the second son of Sir Thomas Fairfax, appears in the correspondence about this period. He entered the church, and was presented with a small living in the gift of his father, who had nothing better to bestow upon him. Henry Fairfax is described in a passage, which we shall presently quote, as a man of exemplary piety and learning ; and the current of his life ran so tranquilly amidst the distractions of contending parties, as to furnish a touching episode in the family history. The provision his father was able to make for him was slender enough for his own wants ; and the difficulties of his position were aggravated by that incident which, in most men's lives, gives pause for prudential considerations. He had fallen in love with Miss Mary Cholmeley, a lady whose Christian virtues admirably adapted her to the station of usefulness she afterwards filled, but who was unluckily as deficient in fortune as he was himself. In this exigency, the last hope of the lovers depended upon the liberality of Sir Thomas ; and in the following letter, without a date, the lady expresses her fears, that, should their reliance in that quarter fail, they will both have reason to lament their unhappy attachment.

TO MY ASSURED LOVING COUSIN, MR. HARRY FAIRFAX,  
GIVE THESE.

BLESSED GOD, bless our designs, prosper our intentions, and consummate our desires, to his glory and our comforts, if it be His blessed will. I am glad to

hear your father is so well pleased, and wish to see him at York, where I hope by good advice to procure the best means to move him for a jointure, which, God knows, is so needful for me to demand, as I fear, if it be denied, we shall both wish you had not thought me worthy the titles of (dear love); for so dear you are in my esteem as I assure you you have no cause to doubt the continuance of my firm affection. I pray you, if Sir Ferdinando Fairfax be pleased to go to Whitby to my brother Cholmeley, concerning my portion, intreat him to speak to Sir Thomas Fairfax earnestly to desire my brother Scott to go with him. I could say I wish to see you, but the weather is so unseasonable, and the ways so dangerous, by reason of waters, as I will not desire it. I will wear your ring till you take it from me. Humbly beseeching Almighty God to be with us, I commit you to His gracious protection, that guides my heart unfeignedly to desire myself entirely yours,

MARY CHOLMELEY.

My mother remembers her love to you, with many thanks for her Christmas provision. My sister Scott commends her kindly to you.

How the application to Sir Thomas turned out does not appear; but it is to be hoped that he found the means of putting the lovers at their ease, for they were soon afterwards married, and withdrew into their peaceful seclusion, where, to the end of their lives, they displayed the same pure spirit of devoted affection with which they had looked forward to their union. A short

letter from Mrs. Fairfax to her husband, during his absence on a visit to London, written several years after their marriage, shows that their attachment had suffered no abatement from time.

TO MY EVER DEAR LOVING MR. FAIRFAX, PARSON OF  
ASHTON, GIVE THESE: LONDON.

MY EVER DEAREST LOVE,

I RECEIVED a letter and horse from Long, on Thursday (Jan. 31), and will use means to send Procter's horse to Denton. I did not so much rejoice at thy safe passage, as at that blessed and all-sufficient guide, whose thou art, and whom I know thou truly servest, that hath for a small time parted us, and I firmly hope will give us a joyful meeting. Dear heart, take easy journeys, and prefer thy own health before all other worldly respects whatsoever. Thy three boys, at Ashton, are well ; thy little Harry is weaned ; all that love us pray for thy safe return. I pray you beg a blessing for us all, for I must needs commit you to His gracious protection, that will never fail us nor forsake us.

Thine ever,

MARY FAIRFAX.

*Ashton, Feb. 2, 1632.*

The following entry in the Fairfax MSS. contains a summary of the simple biography of the worthy rector of Bolton Percy.

“Mr. Henry Fairfax had his education in Trinity College, Cambridge, where Dr. Duckett was his tutor. He was Fellow of the College at the same time that Mr. George Herbert, of the same college, was Orator of



the University, with whom he was familiarly acquainted : their dispositions were much alike, and both very exemplary for learning and piety. Entering into holy orders, he cheerfully accepted of a small living at Newton Kyme (whereof his father, the Lord T. Fairfax, was patron), which, after, he resigned for Ashton, in Lancashire, at the desire of Sir George Booth, but soon returned back to Newton, and having married the virtuous and pious Mrs. Mary Cholmeley, there they lived most lovingly together many years ; and all the time of the civil wars, from 1642 to 1646, their little Parsonage-house was a refuge and sanctuary to all their friends and relations, on both sides. From thence they removed to Bolton Percy, the living being void by the death of Dr. Stanhope, where his dear wife died, Anno 1649, and is buried in that church. My Lord Thomas Fairfax lived in the same parish, at Nun-Appleton. In the year 1660, he removed to his own house at Oglethorpe, and there spent the remainder of his life, as he ever did, in a pious solitude. His notes upon the Bible, and other papers, at Denton, do show his learning and diligence in reading that sacred book and the ancient fathers. His recreation was antiquities and heraldry. Thus he lived to a good old age, his conscience void of offence towards God and man. He died at Oglethorpe, April, 1665, and was buried at Bolton Percy, near to his dear wife. *Quorum memoria in benedictione, Ætat. 77."*

This notice of the life of the Rev. Henry Fairfax may be appropriately dismissed with the following affecting tribute, which he inscribed to the memory of his wife :—

M.S.

MARIE FAIRFAX

QUÂ LONGUM GLORIA SEXÛS

ET GENERIS CERTABAT HONOS

CERNIS UT INSOLESCIT SPLENDETQUE MARMOR

INGENTIS DEPOSITI CONSCIUM

NIHIL TAMEN HABET PRÆTER INVOLUCRUM GEMMÆ

QUAM HENRICUS CHOLMELEY DE ROXBYS ORDINIS EQ.

EX CATHARINÂ COMIT. CUMBERLAND FILIA SUSCEPIT

IN VIRTUTUM CONCEPTACULUM

UNDE FORMÂ MORIBUS INGENIO FIDE CLARÂ

SCRIVENU AD KNARESBURG NATALIBUS

EBORACUM GENIALI TORO

QUADRUPLICI PROLE VIRUM

INNOCENTI Â VITA GENTEM

ET FERALI POMPÂ BOLTON-PERCYVM HONESTAVIT

UBI PLEURITIDE COMPTA AD PATRES ABIIT

80. KAL. JAN. 1649

ÆTAT. SUÆ 56

HENRICUS FAIRFAX ALTERÂ SUI PARTE SPOLIATUS

PRÆSTANTISSIMÆ CONJUGI

PIETATIS ET AMORIS ERGO

LUGENS POSUIT.

Returning to the public events of the time, we find that the only legitimate means of raising money for the public service being now again dismissed, recourse was had to a loan, a benevolence, arbitrary duties upon merchandise, and other modes that promised to supply the necessities which were urgent. From these illegal imposts the people still resolutely withheld obedience, and the Court party, to mitigate the popular opposition, applied for aid to the clergy. In many instances they unwisely acquiesced, and one of their body, Dr. Sibthorpe, in an Assize sermon preached at Northampton, ventured to maintain that “the King

might make the laws, and do what he pleased." Dr. Abbot, Archbishop of Canterbury, refused to license the printing of this sermon, and for such refusal was suspended.\* It was finally published, bearing Dr. Laud's *imprimatur*, but this, and many other pulpit invocations to obedience, failed in obtaining contributions to the royal treasury.† The number of gentry who refused to pay any tax unsanctioned by Parliament was very large, and they were, for the most part, firm, even to the endurance of distant and long protracted imprisonment, rather than submit to the payment, though some few yielded to compulsion. These loans, combined with imposts upon merchandise, and the sale of monopolies, raised considerable, though insufficient sums. The supplies thus illegally raised were as unfortunately expended in a disastrous expedition against the Isle of Rhé, which, though undertaken professedly to support the French Protestants, was, in reality, a suggestion of the Duke of Buckingham to chagrin his enemy Cardinal Richelieu, references to which, and to proceedings before the Privy Council, against those who refused to subscribe to the loan, are in the following letters :—

\* Rushworth, I. 439.

† The permission to print the sermon was, in the first instance, signed by Dr. Worral, Laud's chaplain ; but after-reflection making the Doctor dissatisfied with his acquiescence, he sent the sermon to Selden, requesting his opinion on its contents. In a private interview, Selden told Dr. Worral that "he had given his sanction to a work full of erroneous principles, which, if they were true, would abolish all ideas of *meum et tuum*, and leave no man in England possessed of property. When the times shall change," added Selden, "and the late transactions shall be scrutinised, you will gain a halter, instead of promotion for this book." Poor Worral immediately erased, with great care, his subscription to the licence ; but Dr. Laud was less fearful, so he signed the *imprimatur*, and the sermon was published under the title of "Apostolical Obedience."—*Rushworth*, I. 439.

FROM SIR WILLIAM CONSTABLE TO SIR FERDINANDO  
FAIRFAX.

SIR,

I HAVE a very fit opportunity by this bearer, but can yet give you little account how things go with us, save only that we arrived here (very well, I thank God) on Tuesday morning, and entered our appearance with the clerk of the council that day; the next day we attended, and only Sir Beauchamp St. John was called, and so committed, who had been attending there before, and we now remain in the same state with those who have attended some of them these six months. But it is thought that the council will not continue to sit here longer than the end of the next week, so that it is like something will be said to us before that time; perhaps to-morrow, being a council day, since some of the council take notice of our attending. Mr. Chancellor of the Duchy (Sir H. May) coming from the council the last day, was pleased to entertain some discourse with us, and to read a long lecture to us of our error in not hearkening to his moderate advice in the Parliament.

There is speech every day of a general confining of all those that are committed, but, as yet, only some few whom you have heard of, that, by reason of sickness, have made suit for it, are confined: there are many of the other (especially all those that are in the Fleet) that have a resolution not to accept of a confinement in that manner as it is tendered, that is to say, not except their warrant do leave them as prisoners with the sheriffs; lest by that means they should bar themselves of the benefit of a *Habeas Corpus*, which, it is said, cannot be



denied them the next term, or might have been the last term if it had been demanded ; by that means they look to have a judicial trial in the King's Bench, whether they have committed any offence or no.\*

I shall shortly let you know more. The bearer, Sir W. Hildyard, can let you know all the news that is ; there is nothing yet known of our great Fleet ; he can tell you of my Lord of Canterbury's confinement,† and of my Lord Peter's son and his business, which might have proved a worse cause, but may perhaps find a more favourable interpretation than ours. The prisons are the only merry places in the town, and the air, as the matter is now used, is one and the same to all. So God send us a good meeting.

Yours,

WM. CONSTABLE.‡

*White Hart in the Strand, July 19th.*

\* This objection to be *confined* instead of being *imprisoned*, arose from the Court party arguing, that though the latter treatment of those who refused to contribute to the loan would have been illegal, yet that their confinement was justifiable. The learned John Selden, who argued for their discharge, passed by the technical distinction without a difference, and grappled with the Attorney-General on his own ground. "I will admit," said Selden, "that confinement is different from imprisonment, and, therefore, it is against law. I know of no punishment that is unnamed in our statutes, law books, or records, and this confinement is there unmentioned."

† Dr. Abbott was suspended and confined to his house at Ford, near Canterbury, for refusing to license Dr. Sibthorpe's sermon already mentioned.

‡ Sir William Constable, of Flamborough, in Yorkshire, married a daughter of the first Lord Fairfax. He sat in the Long Parliament, as member for Knaresborough, commanded a regiment of foot, was governor of Gloucester during the Civil War, sat as one of the judges on the trial of Charles the First, and signed the warrant for his execution. He died in 1655.—*Wood's Fasti Oxon.* I. 205.

Sir W. Constable was one of the many who refused to contribute to the loan. For the *Habeas Corpus* to discharge him and other refusers from prison, Noy, Bramston, Calthorpe, and Selden, four of the most learned lawyers of the day,

These arbitrary proceedings to enforce the advance of money, unsanctioned by law, were followed up with the most violent severity. Those of the higher classes who refused to submit to the levy were summoned before the privy council, and if they persisted in their refusal, were directed to proceed to some place distant from their own homes and not to remove thence without permission. Many of them, as remarked in Sir W. Constable's letter, required that they should either be imprisoned or discharged entirely, as in that case they might apply for a writ of *Habeas Corpus*, and have the opinion of the Court of King's Bench upon the legality of the punishment. The Court, in every instance, complied with the request for imprisonment; and the Fleet, Marshalsea, and Gatehouse prisons were thronged with the loan recusants.

We have already noticed that some of the principal prisoners had their cases argued upon the returns to their writs of *Habeas Corpus*.\* The illegality of these imprisonments is beyond the shadow of a doubt. "The question," said Selden, "is, whether any subject or freeman committed to prison, and the cause not shown in the warrant, ought to be bailed or delivered? I think, confidently, that he ought."† But the judges had been coerced into the opposite doctrine. They had all been

argued incontrovertibly; but, taking warning by the fate of Sir Randolph Crew, who had been ejected from the Chief Justiceship for objecting to the loan, the judges decided against their release, and they were remanded to prison.—*Whitelock's Mem.* 8.

\* They were Sir John Corbet, Sir Thomas Darrel, Sir Walter Earl, Sir Edward Hampden, and Sir John Heveningham.—*Rushworth*, I. 432—462.

† Johnson's *Life of Selden*, 134. The arguments are abstracted in *Rushworth*, I. 463.

called upon to subscribe to the loan, and to add to it their signatures, in testimony of their approval. They subscribed, but withheld their signatures; yet they recommended the payment whilst on circuit, with the exception of Sir Randolph Crew, who, by way of reward for his independence, was immediately displaced by Buckingham.

The five gentlemen having failed in their application to the judges, others refrained from a similar appeal; yet Sir John Eliot resolved, by petition direct to the King, to assert the principle, that resistance to the loan was founded upon "duty to religion, justice, and the King." This appeal was not, of course, expected to prevail; and Lord Clifford only stated a generally known fact when he told Sir T. Wentworth, "None dare move the King in the behalf of any gentleman refuser; for his heart is so inflamed in this business, that he vows a perpetual remembrance as well as a present punishment." \*

The gentry of England were honoured individually with letters attested by the Privy Seal, specifying the exact sum his Majesty insisted upon borrowing; but those of smaller estate were commanded to appear before and pay their loans into the hands of certain local commissioners. The secret instructions to the commissioners were significant: he that for subsidies was set down as having 100*l.* of personal property, was to lend 100 marks; and "he that is set down as worth 100*l.* in lands, to lend 100*l.* in money,"—a just distinction that does not obtain in modern property taxation. But, like the modern obnoxious course of procedure, the

\* *Strafford's Letters*, I. 38; *Rushworth*, I. 433.

commissioners were a man's own neighbours, and their inquiries were directed to be similarly inquisitorial. They were "to use all possible endeavours to cause every man willingly and cheerfully to lend ;" but those who were refractory were to be examined on oath whether their refusal had been suggested by any one, and the names of such suggesters and recusants were to be transmitted to the Privy Council forthwith.\*

These precautions, these assize lectures, these persecutions and pressures, these pulpit descants upon "rendering unto Cæsar the things which are Cæsar's," all failed in producing the desired contributions. Whole districts and whole counties agreed in the common-sense conclusion that all was not Cæsar's that Cæsar was pleased to demand. Dorsetshire, London, Yorkshire, and many other local divisions, were thus obdurate.

On Sir Thomas Fairfax, as one of the Deputy Lieutenants of the county of York, developed the odious task of ascertaining the people's means and willingness thus to contribute to the royal treasury, and the following, endorsed "A copy of a letter sent to the Lords of the Council, signifying what was done concerning the four subsidies demanded by the King's letters," tells us the result :—

\* Rushworth, I. 422. The Benchers of Lincoln's Inn refused to promote the loan, or to return a list of the recusants. Sir Peter Hayman, one of the most uncompromising of reformers, was sent on a frivolous embassy at his own expense, into the Palatinate, for a similar offence. "Give I would not," are his words, "so I settled my troubled estate, and addressed myself to that service." *Ibid.* 528.



RIGHT HONOURABLES,

MAY it please your good Lordships to understand that upon the receipt of his Majesty's letters dated the 7th of July, and directed to the Justices of Peace within the county of York, importing his Majesty's desire to have that supplied by the free gift of his subjects which was intended to be given by the last Parliament, towards the defence of his Highness, ourselves, and for the common safety of our friends and allies, and of our lives and honours; according to our bounden duty we did assemble the inhabitants of Claro\* (that division in the West Riding wherein we dwell and usually do serve), to whom we not only read his Majesty's letters, but enforced the necessities of supplies with our best persuasions, pursuing the articles inclosed in his Highness's letters as punctually as our capacities could conceive them. But after some silence of the people, and every man refusing to speak for himself, they required a conference; which had, they did all (but one man whose offer was unworthy the mentioning) agree in the negative, pleading their poverties and alleging the occasions of their wants, which is by the late dearth of corn, the present dearth of cattle, and the want of trade in this poor part of the country, much of it consisting of a barren forest. Whereunto they did add, the great numbers of armies imposed upon them, lately renewed, and their charges of training the soldiers; and some, in our private persuasions, complained of the great charges towards the relief of certain towns in this division, and the great cost that year. Lastly, they did

\* Claro, one of the districts of Yorkshire.

mention the late payments of the subsidies, as well to his Majesty of blessed memory deceased, as to his Majesty now reigning—yet all, with much alacrity, expressing in their words their forwardness to defend his Majesty with their lives, and with their goods when God shall enable them. Thus, sorry that our endeavours have had no better success, we most humbly take our leave.

*Knarborough.*

The oppression inflicted upon “the common sort” of loan recusants was more grievous even than what the gentry were made to suffer, for they were directed “to appear in the military yard, near St. Martin’s-in-the-Fields, before the Lieutenant of the Tower of London, to be there enrolled as soldiers, that they who refused to assist with their purses should serve with their persons in the common defence.”\*

Even in these days of facilitated travelling, such a mustering from distant counties, and for the able-bodied, would prove most distressing; but to the aged and the infirm in that era of ill-conditioned roads, it must have been tenfold harassing. Besides, it afforded to the government no aid: it brought unwilling soldiers and an increased demand for accoutrements, upon an already bankrupt exchequer. Customs, benevolences, threats, entreaties, monopolies, were all tried, in vain, to obtain that sufficient revenue which the Parliament refused to commit to the disbursement of one whom they justly hated and mistrusted. Then, the self-defeating policy of issuing a debased

\* Rushworth, I. 426.

coinage was resorted to, and Buckingham, without consulting the rest of the council, actually had 60,000*l.* worth of base shillings put into circulation. At the command of the King, Sir Robert Cotton demonstrated that the depreciation of the currency was a measure of short-sighted expediency and fatal to commerce. In vain did Buckingham interrupt him with the impertinent query, "Are you come hither to instruct the King and council?" The King appreciated the soundness of the reasoning, the debased money was recalled, and the Master of the Mint received the reprimand which should have fallen upon the duke.\*

Charles, great always in distress, curtailed his expenses, at all times moderate; reduced his establishment, sold his plate, and mortgaged his Cornwall lands. We are asked for sympathy with the participants in these royal deprivations, and no Englishman worthy of the name can be actuated by any sterner feeling as he contemplates Majesty thus humbled and afflicted. But let no injustice mingle with our sympathy, and let us temper our regret with the remembrance, that he endured these deprivations only because he did not choose even so far to listen to his people's complaints, as to let his pampered favourite stand the issue of a trial.

But other events, fast and disastrous, crowded upon this year of the King's commencing sorrows, some of which, requiring further details, are noticed in the two following letters :—

\* Mr. D'Israeli says that the speech attributed to Sir T. Rowe on a similar occasion in 1640, by Rushworth, was really the paper prepared by Sir R. Cotton in 1627, and is printed in Howell's edition of that antiquary's posthumous works.

TO THE HONOURABLE KNIGHT, MY VERY WORTHY AND MUCH  
RESPECTED FRIEND, SIR THOMAS FAIRFAX,

ONE OF THE DEPUTY LIEUTENANTS FOR YORKSHIRE, AT DENTON.

NOBLE SIR,

I DO not wonder as you do, that you have not heard from me in reply to yours all this while. It is neither want of respect or affection (for I can be no changeling to so noble a friend), but something else that makes me more backward in writing, than otherwise I would be, to all my friends ; and upon this short apology I will presume of your pardon, as I have done thus long of your patience, and so come to tell you what is told me of others. The Duke of Buckingham (you hear, I am sure) is gone with the fleet and army to sea, whither we are not yet sure. The conjectures are as formerly ; the most voices run upon the Islands of Rhé and Oleron in favour of Rochelle, and to this enterprise should a party in France, as also of Savoy put to their helping hands, of which two kinds of assistances some discoursers here have no great opinion ; but there is nothing as yet that we can say is certain, more than that they are at sea, which is so infested on all sides with takers (I will give them no worse name) that many doubt there will be ere long an universal solstice among the merchants, and that trade will be at a stand.

The King of Denmark, by his ministers and power at sea, parleyed with our Hamburgh fleet, (I mean our cloth ships, which are judged to be worth 200,000*l.*), upon such terms as, after four or five days' conference, they were dismissed with good contentment ; but yet such, as it is doubted whether they will send again any



more or no. The Prince of Orange received the honour of the Garter presently before his going into the field, but no feast kept because of one that invited himself, and whose company was not compatible with some others ; this was Monsieur l'Ambassadeur de la France.

There is a speech that he (the prince) should be before Lingen, and Count Ernest before Groll. I dare not say, yet I fully believe it ; if it be, it is upon the advantage of Count Henry Vandenberg his absence with 12,000 men, horse and foot, sent up to the assistance of Tilly, and so they may either obtain those places if he stay long, or draw him quickly back to the succour of the besieged : for the Marquis Spinola (they say) is not of force enough to confront the Prince's army, neither (if he have men enough) dare he bring them together, through want of money and victual. Some add that the Archduchess is gone to the other world, and that her death will bring such an irresolution to the dispatch of affairs, as that the Prince of Orange may have an advantageous opportunity given him for his, but I hear no second confirmation of her death. Of the continuance of your wished health, I long to hear a second relation, but yet set no time, but leave it to your own good leisure, as I do myself to your good opinion and favour, and us both and all our affairs to God's gracious protection, resting very faithfully and firmly, though myself am but weak in power,

Your humble and constant friend and servant,

JOHN OGLE.\*

*London, July 4th, 1627.*

\* Sir John Ogle had been Lieutenant Colonel under Sir F. Vere, and his narrative of the battle of Nieuport in the Netherlands is appended to "Vere's Commentaries."

Here are new listings of officers and levies of men determined for to follow the Duke's grace, besides 2000 out of Ireland. God send them such success as they may return with contentment to the King and country.

TO MY HONOURABLE FRIEND SIR THOMAS FAIRFAX, KNIGHT,  
AT DENTON, D. D.\*

As I was glad to receive a letter from you after many expectations of your coming, so I should have been more glad to have had your company here, but in the mean time I am sorry to hear that the small pox and hot fever both are in your house ; yet when you shall think fit to come I shall never think it out of season to bid you heartily welcome. I think fit to let you know that I stay here but one fortnight longer at the most, for I do suspect that the accidents of these times will give me occasion to draw nearer to the Court. My Lord Duke hath recovered the honour of our nation, by his most noble carriage in the overthrow of the French, who are now blocked up in the fort of St. Martin, and besieged by the English with twenty pieces of battery by land and thirty by sea playing upon them. Monsieur Thorax, the French general, hath propounded terms of peace by a letter to my Lord Duke, expressing the desire that the French have for our amity ; but those propositions are not embraced, being imagined but means to procure their freedom from the danger they are now in. The Duke of Rohan is in arms, with 10,000 foot and 500 horse ; the Duke of Montmorency hath put himself into Montpellier, and refuses to come

\* D. D.—Dono Dedit.

to court ; the Duke of Savoy is taking up arms, and Count Soissons makes his party with divers other princes, all for the defence of them of the religion; and, which increaseth their troubles the more, the King of France is either dead or without expectation of life. And so committing you to God's keeping, I rest

Your assured loving friend to do you service,

EXETER.

*Snipe, the 13th of August, 1627.*

The Earl of Exeter was premature in his exultation, for the success attendant upon the first landing of our troops was succeeded by a series of reverses, consequent upon every bad quality but cowardice that could centre in a Commander-in-chief. Let the vanity be pardoned which delighted in the misplaced accompaniments of velvet hangings, pompous music, gorgeous litters, and caterings for a pampered appetite, even though they rendered the outfit in a Frenchman's eyes (De Brienne) more like that of an amorous knight than of a general; but no available excuse, since winds were fair, can be found for a month's loitering between Plymouth and Rochelle: less for not pursuing the first advantages with energy; less for remaining three months totally inactive; and still less for that disgraceful rout in which forty standards, two thousand men, and very many of our best officers were lost. It is needless, totally needless, to quote authorities relative to this most signal defeat which British troops ever sustained from those of France, because all who have written upon the subject agree that greater errors were never crowded into one campaign. It was the Walcheren expedition of Charles's reign; being, as Denzil Hollis told Sir Thomas Wentworth,

“ill begun, worse conducted in every particular, and the success, accordingly, most lamentable. Nothing but discontents between the general and the worst understanding of his soldiers, as Burroughs, Courtney, and Spry;\* everything done against the hair, and attempted without probability of success. There was no hope of mastering the place from the very beginning, especially since Michaelmas, when a very great supply came at one time into the fort, and that since they relieved it at their pleasure. Yet, for all this, the Duke would stay, and would not stay; doing things by halves; for had he done either and gone through with it, possibly it could not have been so ill as it is. He removed his ordnance, and shipped it almost a month before he raised the siege, yet still kept his army there, fit neither for offence nor defence; and, at last, the Saturday before the unfortunate Monday he came away, would needs give a general assault, when many good men were lost, there being no ordnance to protect them going on or coming off.” — “The Duke carefully got himself on board that night, to prevent the worst, (the body being without a head) and to take order for boats for shipping the army.” †

Escaping with a frightful slaughter, and “enfeebled by sickness and want,” the expedition made sail on its return to England, and, as it entered Plymouth Sound, met the long expected reinforcement weighing anchor, under the Earl of Holland. It may be that that succour

\* Sir John Burroughs, Sir George Courtney, and more than twelve other officers of distinction were killed. The best narratives of the expedition are in Baker's Chronicle, Ed. 1679, p. 438, and Rushworth, I. 430—446.

† Strafford Letters, I. 41; Rushworth, I. 430.



had been unnecessarily delayed, but this concurrence of ill-management affords no excuse for the gross misconduct at Rochelle. The Duke endeavoured to throw the blame upon his Council of War, a safe allegation, considering that most of them slept the soldier's death-sleep on the field they had bled to save from disgrace. But some survived, and these "spake somewhat loudly of other miscarriages at Rhé, pleading much on the behalf of the Council of War." \* Of these survivors Sir Henry Spry was one, and his words are memorable. Holding his wife impassionedly in his arms, he told her of those who had died by his side, rather than submit to the imputation of cowardice cast upon them by the Duke's party, adding, "I am returned to thee safe, yet my heart is broken, and I care not to outlive their memory." And this leads us to one of those "other miscarriages." The Duke, rash, inexperienced, and presumptuous, had dared to differ, throughout, from all the most tried and practised officers who were in command under him. Sir John Burroughs, from the very first, counselled the Duke "never to put spade into the ground (in the Isle of Rhé) but to re-embark and undertake some other design." † Yet he spurned the advice, and had goaded such men as that warrior of many fields to die, rather than survive under his implications of cowardice. One more of those "other miscarriages" was that worse than frittering away of opportunity and secrecy, which had no other motive than a spurious craving for a

\* Rushworth, I. 470.

† Harl. MSS. 383, Lett. 435. Sir J. Burroughs, and other veterans who fell, had earned a well-deserved reputation in the Netherlands. — *Epistolæ Hoeliana*, 201, &c.

renowned courtesy—a vanity dearly gratified by disgrace to our arms, and the slaughter of one-third of the assembled troops.

It is a gracious feature of modern warfare that adverse soldiers will aid each other to slake their thirst when picqueted on a stream's opposite banks ; and that the wounded enemy receives an equal care with a wounded friend ; for such courtesies mitigate the, at best, hellish concomitants of war. But it wears another aspect, if, whilst other soldiers are suffering privations, the rival generals interchange presents of melons and orange flower-water ;\* and is madness, or something worse, if one sends to bid the other farewell, and to inform him when he intends to withdraw his forces. This savours too much of treachery to permit a plea of folly to be its excuse, and if we look for evidence to sustain this suspicion of the blackest conduct being among those “other miscarriages,” we need not rest satisfied with mere hints. It would be difficult upon any fair ground to explain why the ships sent by the inhabitants of Rochelle for provisions, should be placed under an embargo in our harbours ;† and the Duke of Rohan openly accused the Duke of Buckingham of treachery at Rochelle, in compliance with her request whom we have already noticed he dared criminally to love. Richelieu induced the French King to take advantage of this desire for intrigue, and, at his suggestion, the Queen wrote “an obliging letter” to the Duke, assuring him that if he would let Rochelle fall, without assisting it, he should be permitted to visit France, and settle a peace with the Protestants according

\* Howell's Hist. of Lewis XIII. 82.    † May's Hist. of the Parliament, 9.

to their edicts. Rochelle was deserted ; “but finding next winter that he was not permitted to enter France, but had been abused with a false hope, the Duke resolved to have followed that matter with more vigour, when he was stabbed by Felton.” \*

Whether he was worse than incapable, at present remains a problem, but the consequences were the same. The people of England, already fermenting with discontent, were rendered further dissatisfied by this national disgrace, and the sorrow which it diffused throughout the land ; for few were the houses who had not to mourn for the loss of some near relative. Pillage and riot in its worst forms were added to this other sorrow ; for, to use the words of one, no enemy to the Stuarts and their friends, “an army and a navy had returned unpaid and sore with defeat. In the country, the farmer was pillaged, and few could resort to church, lest, in their absence, their houses should be rifled. London was scoured by seamen and soldiers, roving even into the palace of the sovereign. Soldiers without pay, form a society without laws. A band of captains rushed into the Duke’s apartment, as he sat at dinner, and, when reminded by him of a late proclamation, forbidding all soldiers coming to court in troops, on pain of hanging, they answered that “whole companies were ready to be hanged with them ; that the King might do what he pleased with their lives, for that their reputation was lost, and their honour forfeited, for want of their pay to satisfy their debts.” A mob of seamen obtained a promise of their pay from the King himself ; exhibiting, a scaffold on Tower Hill,

\* Burnet’s Hist. of His Own Times, Book I.

where they said the Duke should have been, in the event of their demand being refused. It was said that 30,000*l.* would have satisfied these dangerous claimants, yet the Exchequer could not afford even that mean sum.\* But distress and poverty were not confined to the unpaid military; our commerce was entirely at a stand; we had rushed "into a new and precipitate war against the two great monarchs, even at the time when our own monarchical government seemed in dispute at home," and the chief ports of Europe were closed against us.† The consequences are not drawn from imagination, but stand on record in a letter from Denzil Holles, intended only for Sir T. Wentworth's private perusal. "Since these wars, all trading is dead, our wools lie upon our hands, our men are not set on work, our ships lie in our ports unoccupied; land, sheep, cattle, nothing will yield money; not to speak of the soldiers ravishing men's wives and daughters, killing and carrying away beeves and sheep off the ground, (stealing of poultry was not worth the speaking of), killing and robbing men upon the highway, nay, in fairs and towns (for to meet a poor man coming from the market with a pair of new shoes, or a basket of eggs or apples, and take them from him, was but sport and merriment), and a thousand such petty pranks, come a dozen of them to a justice of the peace and Deputy Lieutenant's house, and make my lady give them five or six pieces to be gone. Why, we western lads respect not such things as these, so we have war

\* D'Israeli's *Mem. of Charles the First*, II. 77. This cannot be the truth, for nearly 200,000*l.* was owing for naval expenses alone, of which 61,000*l.* were for seamen's wages.—*Rushworth*, I. 470.

† *Warwick's Memoirs*, 23.



and be in action, for, as you say, our prizes make amends for all!"\*

These unpalatable and menacing truths were well known to the Court party, and yet so sensitive were they of censure, that although the Isle of Rhé was commonly called "the Isle of Rue, for the bitter success we had there,"† yet a lady was restrained of her liberty for making use of the distasteful witticism within the audience of courtly ears; and the King's physician was as severely treated, for only alleging our loss was greater than the Duke of Buckingham was pleased to admit. This enforced silence preserved the King from dissonant comments, but it brought no relief. Defeated, beggared, and with every plan and every subterfuge for aid exhausted, the King and his advisers were bankrupts even in expedient.

In this dilemma they wisely had recourse to Sir Robert Cotton. Deeply read in our constitutional history, the judicious and confidential adviser of James the First, and though acting with the reformers in the last Parliament as the representative of Westminster, yet always as careful of the royal prerogative as of the people's liberty, no wiser selection could have been made when seeking for a guide to a more just policy. His faithful advice testified that the confidence was not misplaced. He pointed out the necessity of obtaining the affections of the people as well as their money, aptly quoting Lord Burleigh's apothegm, "Win hearts, and you have their hands and purses." Speed in the supply was as desirable as its abundance, and no compulsory measures would secure this. "I find not," said Sir Robert, "that

\* *Strafford's Letters*, I. 40.

† *Howell's Letters*, 201.

the restraint of the recusants hath produced any other effect, than a stiff resolution in themselves and others to forbear." He candidly narrated the just grounds on which the suspicions against the Duke of Buckingham, and that papists were favoured, had been grounded; our fatal foreign expeditions "which the more temperate spirits impute to want of council, and the more sublime wits to *practice*."\* He commented upon the loss of the Palatinate, at Cadiz, but not at Rochelle, for this was too sufficiently and acutely felt to need more specific pressure than was in the words—"our late misfortunes and losses of men, munition and honour." The remedy advised, then, was an immediate assembling of the Parliament; yet the state-physician was too faithful whilst he thus advised the King, that he must expect many things to "disturb the smooth and speedy passage of his desires," not to warn him also from sacrificing the unpopular statesman; "for," were his concluding words, "to expiate the passion of the people at such times with the sacrifice of any of the King's servants, I have found no less fatal to the master than to the ministers in the end;"—a truth which kings might do well to have inscribed over every portal of their palaces, and in attestation of which, Charles, by his own fate, eventually afforded another memorable example.

\* *Practice*—Wicked or cunning negotiation.

## CHAPTER III.

Sir Robert Cotton's advice adopted—The Loan Recusants restored to Liberty—Twenty-seven returned to Parliament—Letter to Lord Fairfax—Popular feeling against the Court Candidates—Elections for Westminster and Yorkshire—Parliament assembles—The King's unconciliating Speech—Parliament persists in demanding Redress of Grievances—Silence relative to Buckingham—Enquiry for the Bishop of Lincoln—Lord Keeper Coventry's evasive Reply—Petition for a General Fast—Billeting Soldiers—Encouragement of Catholics—The King's impatience—Commons resolve that Redress of Grievances and the Supply shall not be separated—Five Subsidies voted—Sir John Cooke bearer of the good news to the King—Buckingham's expressions of pleasure distasteful to the Commons—Sir J. Eliot—The King anxious for Payment of Subsidies—Petition of Right—The King endeavours to evade the Bill—Influenced by Buckingham—The Commons again denounce the Duke—The Speaker's absence from the House—Charles yields his assent to the Bill—Joy of the Commons—Bill for payment of Subsidies passed—Commission empowering the Lord Keeper and others to raise Money—Opposed by the Commons—Question of Tonnage and Poundage—The King prorogues Parliament—Order to reprint Petition of Right—Charges against Buckingham—Neale and Laud—Titles of the Duke—Dr. Mainwaring fined and imprisoned.

THE sound advice so fearlessly given by Sir Robert Cotton was accepted without any apparent resentment at the time, and was promptly adopted. On the 29th of January, 1628, the writs were issued, summoning a Parliament to meet on the 17th of March. These were preceded by orders from the Privy Council, directing those gentlemen to be restored to liberty, who were then suffering various degrees of restraint as loan

recusants. Among them were Sir John Strangeways, Sir William Armin, Sir Nathaniel Barnadiston, Sir Maurice Berkley, Sir Thomas Wentworth, Sir John Wray, Sir William Constable, Sir John Hotham, Sir John Pickering, John Hampden, Sir George Ratcliffe, Sir Walter Earl, Sir Harbottle Grimston, Sir John Corbet, Sir John Eliot, and Sir John Heveningham. These, and about sixty others, were released, not soon enough to mollify their remembrance of protracted unjust imprisonment, yet just in time for them to arouse afresh popular indignation on the hustings.\* Twenty-seven of them were returned to Parliament. This was ominous of stern opposition to the Court, evincing that the people were not pacified by the tardy concession; and it could not be expected that those who were oppressed and imprisoned yesterday, would be forgetful of the wrong and the suffering, when to-day they were asked for aid by their oppressors.† All classes, indeed, united to resent the late despotic measures of the Government, and their hate was especially concentrated upon the Duke of Buckingham. Conscious of his unpopularity, he retired, with his sovereign and protector, to a distance from the metropolis, where neither riotous apprentices nor mutinous sailors were likely to approach.

The following unsigned letter, but apparently in the handwriting of Thomas Herbert, Esq., relates to some of these proceedings:—

\* Rushworth, I. 477.

† Yet the most aggrieved by the Court were not among its most implacable enemies. Sir John Corbet and Sir Walter Earl were secluded from the House of Commons for voting, in 1648, that the King's answers were a ground for establishing peace.



TO THE RIGHT HONOURABLE AND MY EVER HONOURED LORD,  
THOMAS, LORD FAIRFAX, AT YORK, THESE.

RIGHT HONOURABLE,

THE King and the Duke are now at Newmarket, and for any report that I hear resolve to stay there till the Parliament begin. The mariners behaved themselves so insolently towards the Duke, that he and my Lord of Holland wounded divers of them, insomuch that since that time the Duke, dining at the Lord Mayor's, was guarded thither and to the Court with a strong company of musketeers, doubting some outrage should have been offered by them. The citizens have chosen their knights and burgesses, which were of them that suffered for the loan; they have with great disgrace rejected the recorder, who prescribed for this election since the Conquest, but for all that antiquity, they would not endure to have him in the nomination, for they find he hath relation to whom they do not affect. They have elected for knights, Aldermen Moulson and Clytherowe; and for burgesses, Captain Waller and one Brunti (?).

In Middlesex, they have chosen Sir Francis Darcie and Sir Henry Spiller, against whom the Parliament men already elected, are displeased, and do give out that Sir H. Spiller shall be no Parliament-man. The privy seals are all called in, and the King hath declared himself, by proclamation, of the certainty of the beginning of the Parliament. The Ambassadors for the State have had audiences, and have been roundly dealt with, all for their league with the French, but they have resolutely answered both the King and the Lords, in respect they saw no hope to have any support from

home ; for such states as depended upon us are come to ruin, and, therefore, having such potent adversaries, it behoved to make themselves strong, and concluded with a great expression of love to the memory of Queen Elizabeth, who had raised them from a pea to a nation, and defended them in all fortunes. The Venetian Ambassador is yet here ; the news upon the Exchange is that the plague is in the French King's army before Rochelle, and in the navy by sea, and rageth so strongly amongst them that the King is drawn to Paris, and his army thirty miles into the land, and the Spanish ships are gone home.

They report likewise that the Emperor and Spanish King make great preparation to besiege the Sound in Denmark, the King whereof and the King of Sweden have made strong alliance, and is providing great and warlike defence at Copenhagen ; and, thus making bold to inform your lordship of such passages as are here, I humbly take my leave, ever being

Your lordship's servant in all dutiful affection.

*London, the 24th of February, 1627.\**

The stern popular feeling which induced the citizens of London to cast aside their accustomed representative to make way for others, who would firmly oppose that illegal taxation and restraint of liberty, by both of which they had suffered, was not confined to the metropolis. It pervaded England, and successfully raised opposition even in some of the strongest holds of the Court party. In those days Westminster was considered absolutely under the Royal influence, and Buckingham calculated that his candidate, Sir Robert Pye,

\* 1628, *New Style*.

in conjunction with Sir Robert Cotton, was sure of his election. But he had now to learn that the intelligence and wealth of the middle classes, when roused to combined activity, have a will, setting at defiance all mere arbitrary dictates. "A Pye!" "A Pye!" the hustling's cry of one party, was drowned beneath the responses of "A Pudding!" "A Pudding;" and, after a severe struggle, the Court candidates found that their popular opponents, a grocer and a brewer, had a considerable majority. In the counties, the results were similar, but it must suffice to quote Yorkshire only as an example. This had ever been a Royalist county, and even in later days it was one of the northern districts on which Charles relied most for support; yet even here his candidate, Sir John Savile, "of large local influence," was defeated by Sir Thomas Wentworth and Sir Ferdinando Fairfax; a triumph which even Sir Henry Savile, from his retirement at Netherley, came forth to celebrate. He wrote thus on the 12th of March to Sir Thomas Wentworth,—“I could do no less than congratulate with you in your triumph even over my own great kinsman; of whom, for anything I can hear, you and your company made small reckoning by your usage of him on all sides. I hear the city (York) murmurs and petitions against the son's election. If we be cast out, both of town and country, in good faith our case will be lamentable, and, I fear, without your pity. I wish you all good fortune, and happy success in your mighty proceedings above. It will be a vain thing to give so much as the times require, unless you take order for the well disposing thereof.” And this last opinion was that entertained by an overwhelming majority of the House of Commons. That majority, a

contemporary historian, by no means friendly to their proceedings, confesses was no vulgar party casually predominating, when he states that the members of the Commons possessed wealth far exceeding that of the Upper House, and we know that they were at least equals in ability.\*

On the 17th of March, 1628, the Parliament assembled, and if Charles intended his opening address to be propitiatory, his idea of the art of conciliating senators somewhat differs from that entertained two centuries later. After warning the members that delays were to be avoided in times requiring activity, and that "tedious consultations" would be as hurtful "as ill resolutions ;" and after alluding to the dangers environing the country, he thus concluded :—"Every man now must do according to his conscience : wherefore if you (as God forbid) should not do your duties in contributing what the State at this time needs, I must, in discharge of my conscience, use those other means which God hath put into my hands to save that which the follies of particular men may otherwise hazard to lose. Take not this as a threatening, for I scorn to threaten any but my equals, but as an admonition from him that, both out of nature and duty, hath most care of your preservations and prosperities." . . . "I will only add one thing more, which is—*To remember a thing, to the end we may forget it.* You may imagine that I came here with a doubt of success of what I desire, remembering the distractions of the last meeting ; but I shall very easily and gladly forget and forgive what is past, so that you will at this present time leave the former ways of distractions, and follow

\* Sanderson's Life of Charles I. 106.



the council lately given you, To maintain the unity of the spirit in the bond of peace."

In similar bad taste, (an irritating offer of forgiveness to those who were themselves the aggrieved) and with an urgency for money, unaccompanied by any excuse or regret for past extravagance, failures, and oppression, the Lord Keeper Coventry, to use the King's own expression "paraphrased upon the same text," closing with this by no means emollient sentence,—“His Majesty is resolved that his affairs cannot permit him to expect aid over long.”\*

The Commons, however, were resolved not to confess themselves formerly in error, by adopting a course differing from that for which the last Parliament had been dissolved. They persisted in demanding a redress of grievances, before they would proceed to grant the requisite supplies. This difference only is to be observed in the debates during the early part of the session—the Duke of Buckingham was not even mentioned. So great a contrast was this silence to the strong denunciations of him in the last Parliament, that a modern historian has supposed that there was an agreement between the King and the Commons that he should not dissolve them so long as they abstained from an attack upon his favourite minister; but such a surmise is too unsustained to be insisted on longer than no other explication can be found for the phenomenon, and this explication can be developed without difficulty.

The members of the Commons had learned from experience that to attack the Duke was to insure their own dissolution, and they also knew that though he was the instigator of the grievances and abuses under which

\* Rushworth, I. 484.

the people suffered, yet that these grievances might be obviated without attacking their author. They knew, too, that the safety of the commonwealth required the provision of certain monies for State purposes, and they were anxious to vote these before they jeopardised their existence as a Parliament. They acted accordingly, succeeded in their intentions, and proved by the result the accuracy of their anticipations from the past, for they presented a bill for five subsidies, with a remonstrance against the Duke, on the 16th of June, and within ten days the King closed the session !

The House of Lords were less compromising even than the Commons. Three of their members, Lords Arundel, and Bristol, and Archbishop Abbot, had been freed from their various imprisonments, and took their seats in the House at its first meeting. But still its benches lacked one most powerful member, and Lord Clare rose to inquire "wherefore the Bishop of Lincoln was absent," and "whether this bishop had a writ sent him ?" The Lord Keeper replied in the affirmative, but without revealing the further truth, that the writ had been accompanied by a letter forbidding his attendance in Parliament. The bishop's reply declined obedience until he had been well-advised that he ought to obey that letter "before his own right, which by the laws of God and man, he might, in all humility, maintain ;" and the peers resolved him from all doubt, by ordering his attendance to preach before them on the 6th of April.\*

\* Hacket's *Life of Williams*, II. 77, &c. The Peers and the ex-Lord Keeper, by thus setting the King at defiance, only enforced by example what had previously been placed before him by precept—"Rule by your laws," said Williams, "and you are a compleat monarch : your people are both sensibly and willingly beneath you ; but if you start aside from your laws, they will be as saucy with your actions as if they were above you."

At its first meeting, and after the recess, the Parliament, considering the state of the Protestants in France, commenced by petitioning for a general fast ; a course, however consonant with the suggestions of sober and religious minds, not at all in unison with the thoughts and desires of the King and his courtiers. Charles granted their petition, but was sufficiently petulant and ill-advised to accompany his acquiescence, on another occasion, with the scoffing remark, that "certainly fighting will do the Reformed Churches more good than fasting." \*

The grievances and oppressions to which the people had been so long subjected, and which have been particularised during the current of our history, came now in detail before the House, and before the searching inquest of special committees.

The billeting of soldiers, "a new and almost unheard of way" of supporting soldiers, and occasioning the outrages enumerated in the letter of Mr. Denzil Hollis, already quoted, was the subject of an early petition to the King, but it met with no other reply, than "I shall make answer in a convenient time ;" joined, however, with a scarcely courteous admonition to grant a speedy supply, and that "time was not to be spent in words," because, added his Majesty, "it calls fast on you, and will neither stay for you nor me." †

The toleration and encouragement shown to professors of the Roman Catholic faith was another subject for address to the throne ; and though it finally received a reply dictated by a spirit much more worthy of a Christian and a statesman than the petition to which it responded, yet at first the answer was made

\* Rushworth, I. 663.

Ibid. I. 551.



chiefly an occasion again to urge on an early grant of money on the ground "that as we pray to God to help us, so we must help ourselves, for we can have no assurance of his assistance if we do lie in bed and only pray:" a truth too flippantly suggested, and, as usual, upon the most unsuitable of occasions, for there was no one act of the Court then viewed with more distaste by the rising spirit of Puritanism than the favour shown by the Queen and her parasites to foreign Papists—a favour attended by such political inconveniences that even the King was obliged to eradicate the annoyance.

Then followed the most important of all the inquiries, that which sought for a relief from forced loans, and personal protection to those who refused to have their money thus extorted! Every proceeding connected with that despotic mode of exaction was tinctured with illegality and fraud. Levied by an unwarranted stretch of the prerogative; enforced by illegal modes of punishment; and sustained by decisions which all constitutional lawyers condemned, Englishmen must have been dastards indeed not to have risen as one man demanding redress. Even the Court lawyers shrunk from the contest, and strove to strengthen by fraud the weakness of their cause. Selden, as chairman of the committee, reported that the Attorney General, Sir Robert Heath, had prepared the draught of a judgment, and pressed the clerk of the Court of King's Bench to enter it as if it had been passed by the judges, when Sir E. Hampden and others had moved to be discharged under writs of Habeas Corpus as loan recusants. The clerk and the judges alike refused to allow such an entry to be made in the records; but it was not until about a week before the meeting of Parliament that Mr. Attorney fetched



away the copy ; and the mere attempt, though passed over with a silence that intimated consciousness of strength as much as scorn, must have given a more keen edge to the indignation of those who were closing with the authors of the injustice.\*

The King impatiently urged by repeated messages that the vote of a supply should be expedited, but it was not until the 7th of April that the Commons came to a decision as to the amount to be granted ; and then it was resolved that remedies for their wrongs should be assented to by the King before they would thus render him independent of them. We have seen that this was no needless precaution, inasmuch as that so soon as Charles obtained a supply he had dismissed the Parliament ; and that a similar result was foreseen was openly intimated by more than one member in the course of this debate. "Two legs go best together," said Serjeant Hoskins ; "therefore I desire that our just grievances and our supply may not be separated. By presenting them together, they shall be both taken or both rejected." Five subsidies, about 350,000*l.*, were voted ; a small sum in the budgets of modern financiers, but in the time of Charles there was no national debt, and he observed, in a transport of gratification, "it is the greatest gift that ever was given in Parliament." Sir John Cooke was the bearer of the joyful intelligence, and, privileged by his good tidings, when the King asked "by how many voices were the subsidies gained ?" Mr. Secretary

\* *Parl. Hist.* VII. 385 ; Sir J. Napier's MSS. ; Johnson's *Life of Selden*, 139. Sir E. Coke significantly observed, upon the Attorney General's recent recal of his manuscript judgment, that "a Parliament brings judges, officers, and all men into good order."

replied, "May it please your Majesty—but by one." "How many were against me?" said the King; and the unexpected reply—"None, for the consent was one and general," is said to have affected him even to tears.\*

The privy councillors were assembled forthwith, and the agreeable intelligence communicated to them. All joined in the pecuniary pæan. Charles said "he liked Parliaments at the first, but since, he knew not how, he was grown to a distaste of them, but now he was where he was before; he loved them, and would rejoice to meet with his people often." Buckingham was also in ecstasies. Sir Robert Cotton had advised that he should seek opportunities to evince zeal for "the public unity and content," and the present occasion was available for a demonstration. He appears to have reduced to writing the expression of his rejoicings over the subsidies, and this was read by Sir John Cooke to the House. It began thus:—"Sir, methinks I behold you a great King, for love is greater than Majesty. Opinion that the people loved you not had almost lost you in the opinion of the world; but this day makes you appear as you are, a glorious King, loved at home, and now to be feared abroad."—Thus far was well; but the addition of the insincere verbiage—"I, who have had the honour to be your favourite, may now give up that title to them (the Parliament); they to be your favourites, and I to be your servant;" and the impertinence of asking the King now to view the Commons with favour, were not topics likely to sound harmoniously in the House, much less that sentence of double aspect, "This is not the gift of five subsidies alone, but

\* Rushworth, I. 531; MS. quoted by Mr. D'Israeli.

the opening of a mine of subsidies that lieth in their hearts." Private contemporary letters state that the Duke also offered to reduce his multitudinous honours and appointments, by resigning the Mastership of the Horse to the Marquis of Hamilton, the Wardenship of the Cinque Ports to the Earl of Carlisle, and the Lord High Admiralship to such officer as Parliament might recommend ;\* but we may conclude that there was not much sincerity in his proffer of resignation, since he retained all the offices down to the hour of his assassination.

This sugared communication to the House from the Duke did not lure its members even to a courteous return : it could no more deceive than could the leopard's fawning towards its hunters ; and Sir John Eliot, whilst rejoicing in the King's message, inquired "by what fatality or infortunity the mention of another in addition to his Majesty had crept in ?" and after an eloquent outburst against those who stepped in between the King and the Parliament, indignantly expressed a hope that "such interposition might be let alone, and that all his Majesty's regards and goodnesses towards the House might be spontaneous."† Though the subsidies were voted, the vote was indefinite, and so anxious was the King for a period of payment to be fixed, that he desired the House not to adjourn for a recess at Easter. This unusual interference with the privileges of the House was acknowledged and disregarded, Sir Edward Coke observing, "the King makes a prorogation, but the House adjourns itself." As little attention was paid

\* Sloane MSS. 4177, Letter 490, &c. ; D'Israeli's *Charles the First*, II. 95.

† Rushworth, I. 532 ; *Ephemeris Parliamentaria* ; Napier MSS. &c.

to a request to turn the vote of supply into an Act, and the rejoinder made by Sir Thomas Wentworth, was still more firm and determined. "When we set down the time for payment, let us be sure the subject's liberties go with it hand in hand. This is the way to come off fairly, and prevent jealousies ;" and, consonant with this advice, it stands on the journals of the House, "Resolved, that grievances and supply go hand in hand."

This hastened the concurrence of all to the Petition of Right. The conferences and debates in both Houses were tedious and erudite upon all its clauses. Sir Edward Coke, Mr. Selden, Mr. Littleton, and other grave lawyers, maintained the consistency of its provisions with the great charter of our liberties and the common law of the land. And though the Attorney General shook his head in marked objection to their arguments and precedents, yet Coke pledged his credit as a lawyer, that "it lay not under Mr. Attorney's cap to answer any one of them." That officer of the Crown, however, did no discredit to his cause by his reply, and it is with regret we read that his coadjutor, Serjeant Ashley, was committed to the custody of the Serjeant at Arms, for arguing too strongly in favour of prerogative power, intimating that it was subject only to divine control.

Charles felt, and all his advisers felt, that reason and precedent were alike in favour of the Petition of Right, yet it shackled the prerogative too much to be agreeable to Stuart conceptions of kingly power, and, as a last resource, he called both Houses to his presence, acknowledged the correctness of their views regarding the subject's liberty, but asked them "to rest upon his royal word and promise that he would maintain all his subjects



in the just freedom of their persons and safety of their estates." If sincere, why did Charles object to the Petition of Right which enacted no more? And Sir T. Wentworth, with as much reason as sarcasm, replied, "Though never Parliament trusted more in the goodness of their King, as far as regarded themselves only, than the present; yet we are ambitious that his Majesty's goodness may remain to posterity, and we, being accountable for a public trust, desire to vindicate the subject's right by bill, in which is no more than are laid down in former laws, with some modest provision for instruction, performance, and execution." \*

This is neither more nor less than a correct summary of the Petition of Right, for its clauses express a desire that, in conformity with long sanctioned statutes, the people may not be taxed in any form without the previous sanction of Parliament; that no one shall be imprisoned upon warrants not specifying the alleged offence; that soldiers may not be billeted upon the people against the will of the latter; and that martial law may not be enforced, nor any one punished, but according to the law of the land.

In this our day we may incline to be surprised that such a petition should be so strenuously urged upon the King for recognition as the law of England. A denial or an infringement of its clauses are now unknown, but it was far otherwise in the Stuart century, for then each year afforded examples of the invasion of every right sought to be recognised.

\* Sir E. Coke was as decided, concluding an able speech with the emphatic words—"Let us put up a *Petition of Right*; not that I distrust the King, but that I cannot take his trust but in a Parliamentary way."

Charles struggled long, and tried every subterfuge before he would give his assent to the bill. By the Duke of Buckingham he sent a letter in his own handwriting, promising all that the Petition of Right contained, with a single qualification, but that was of momentous import—it reserved to himself and his Privy Council the right to imprison any one for causes “which, in his conscience,” he thought concerned the public good and safety. Now for such purposes the royal conscience has ever been found most accommodatingly elastic, and the Commons, not willing to rest the public safety upon a foundation less mistakeable than a statute, disregarded the King’s letter as “not being a Parliamentary way.”\*

In the House of Peers the Duke of Buckingham and the Lord Privy Seal, “with other great and able officers, did repulse this petition with all main,” and there is reason for believing, though his biographer denies it, that the ex-Lord Keeper “had been sprinkled with some Court holy water,” for he proposed, though without success, an addition, setting forth that the bill “left entire the King’s sovereign power,” and, we are told by the same friendly authority, that “he had a very courteous interview with the Lord Duke, and his grace had the bishop’s consent, with a little asking, that he would be his grace’s faithful servant in the next session of Parliament, and was allowed to hold up a seeming enmity, and his own popular estimation, that he might the sooner do the work.”†

All opposition, all intrigue, failed to obtain even a modification of the Petition of Right; and on the 2nd of June Charles, in full Parliament, gave to it this special answer:—“The King willeth that right be done

\* Parl. Hist. II. 355.    † Hackett’s Life of Lord Keeper Williams, II. 77—79.

according to the laws and customs of the realm ; and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrongs or oppressions contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience, as well obliged, as of his prerogative.”\*

This consent not being in the accustomed form gave no satisfaction to the Commons, and they proceeded to debate further upon the distresses of the nation and their causes without furthering the grant of the supply. The King pressed them to be expeditious, warned them that on the 11th of June he should close the session, and protested he was resolved to abide by his answer to the petition “without further change or alteration.” But the Commons had not yet placed the subsidies in his hands, and, therefore, again had he to yield to the just requirements of the Parliament. There is no reason for doubting that the unusual and ambiguous answer to the Petition of Right was a suggestion of the Duke of Buckingham ; but it is certain that that answer had also been prepared in accordance with questions submitted to the judges, and was prepared with a belief founded on their answers, that it eluded the objects sought for in the petition.†

Against Buckingham, therefore, were the attacks of the Commons now directed for the first time this session. Even Selden, the moderate and just, rose to the onset. “All this time,” were his words, “we have cast a mantle on what was done last Parliament ; but now, being driven again to look on that man, let us proceed with that which was then well begun.”

\* Rushworth, I. 596

† Hallam's Constitutional Hist. I. 422.

Sir John Eliot was the first to approach the obnoxious favourite, but no sooner the words "I am confident no minister, how dear soever——" had passed his lips than the Speaker started from his chair, saying with tears, "There is a command laid upon me to interrupt any that should go about to lay an aspersion on the Ministers of State." Members called upon Eliot to proceed, but the Chancellor of the Duchy, Sir H. May, desired that if Eliot proceeded he (Sir Humphry) might be permitted to leave the House—"Whereupon they all bade him 'be gone,' yet he stayed and heard him out." "Then Sir Robert Phillips spoke and mingled his words with weeping," says a letter from one of the members present; "Mr. Prynne did the like; and Sir Edward Coke, overcome with passion, seeing the desolation likely to ensue, was forced to sit down, when he began to speak, through the abundance of his tears. Yea, the Speaker, in his speech, could not refrain from weeping; besides a great many whose grief made them silent. Yet some bore up in that storm, and encouraged others." For the purpose of escaping from the trammels of mere debate, the House resolved itself into a committee, in which Sir Edward Coke denouncing "the Duke as the cause of all our miseries," was "answered with a cheerful acclamation of the House 'Tis he—'tis he,'—as when one good hound recovers the scent the rest come in with a full cry."

When the Speaker, Sir John Finch, left the chair, he obtained permission to be absent from the House for a few minutes, which he protracted to three hours. One of the members feared that this unheard-of absence was ominous of a dissolution, but they were only requested



to adjourn until the morning following, and then the Speaker avowed whither he had been, and that the King, yielding to their wishes, intended to give the accustomed answer to their petition.

On the 9th of June, in all the panoply of state, and in the presence of the assembled Parliament, Charles ordered its clerk to cut from the journal his former answer to the petition, giving for insertion in its stead, the assent customary:—"Soit droit fait comme il est désiré." The yielding was graceful, and divested of either bitterness or reserve, and the commentary was similarly politic.—"This I am sure is full, yet no more than I granted you in my first answer. You see now how ready I have showed myself to satisfy your demands, so that I have done my part; wherefore, if this Parliament hath not a happy conclusion, the sin is yours; I am free from it."\*

As the answer was received by the Commons with a shout of "joyful applause," so they resolved at once to demonstrate that the security obtained for the future, made them willing to be forgetful of the past; nearly all the Committees of Grievances were dissolved: and the bill granting the subsidies was forthwith passed, being carried up to the House of Peers by Sir Edward Coke, "almost the whole House attending him."

But Charles had now granted away what he hoped he had not parted with, and so soon as he discovered his mistake, he tried, but in vain, to retain or recover his power. The Commons, on the 16th of June, had a conference with the Peers, relative to a commission to which the Lord Keeper, a few months previously, most

\* Rushworth, I. 625.

unadvisedly had affixed the great seal. That commission empowered the Lord Keeper, the Lord Treasurer (Earl of Marlborough), the President of the Council (Earl of Manchester), the Privy Seal (Earl of Worcester), the Lord Admiral (Duke of Buckingham), the Lord Steward (Earl of Pembroke), and the Lord Chamberlain (Earl of Montgomery), to act as commissioners for raising money "by impositions, or otherwise, as in their wisdoms and best judgments they should find to be most convenient." Such an unrestricted, such an illegal delegation of power to tax the country never was ventured upon before, even by the most despotic of our monarchs; and the Commons pointing out that it was totally at variance with "his Majesty's gracious answer to the Petition of Right," sought that the commission might be cancelled, and its suggestors discovered and proceeded against. It was pretended that it was only "a commission to advise," but this shallow and false subterfuge received the damning criticism of the Peers,—“this way of requiring advice under the great seal does seem unusual;” and it ended in the Lord Keeper exhibiting to both Houses the commission cancelled, and with the seal removed.\*

This early appeal to the Petition of Right startled the King to renewed suspicions that his prerogative had been invaded; and upon the Commons presenting, a few days subsequently, a Remonstrance against the levying of Tonnage and Poundage, "without consent of Parliament," his impatience could no longer be controlled, and he forthwith silenced them by prorogation. Since the reign of Henry the Seventh, it had been

\* Rushworth, I. 640; Parl. Hist. II. 430.

customary to grant Tonnage and Poundage to the Sovereign for his life ; but James and Charles had so abused the power, that the Parliament now wisely proposed to make it a temporary grant, and they advised the King that if he levied it without such grant previously obtained, it would be "contrary to his royal answer to the Petition of Right." Indignant, as he believed that advantage was being taken of his assent to that petition to curtail his prerogative, Charles, on the 26th of June, whilst the Remonstrance was being read after engrossment, came suddenly to the Parliament, and closed the session. The prorogation was a hasty determination, and his address short and extempore ; but he told them the cause for such dispatch.\* "A Remonstrance is preparing for me, to take away the profit of my Tonnage and Poundage, one of the chiefest maintenances of my Crown, by alleging I have given away my right thereto by my answer to your petition. This is so prejudicial to me that I am forced to end this session some few hours before I want, being not willing to receive any more remonstrances, to which I must give a harsh answer. And since, I see, that even the House of Commons begins already to make false constructions of what I granted in your petition, least it be worse interpreted in the country, I will now make a declaration concerning its true intent.

"The profession of both Houses, in hammering this petition, was no ways to trench upon my prerogative, saying they had neither intention nor power to prevent it. Therefore, it must needs be conceived, that

\* The Lords had no time to put on their robes, and the Bill of Subsidies had not been given to the Speaker for delivery to the King.—*Rushworth*, I. 644.

I have granted no new, but only confirmed the ancient liberties of my subjects. Yet, to show the clearness of my intentions, that I neither repent nor mean to recede from anything I have promised you, I do here declare myself, that those things which have been done, whereby many have had some cause to expect the liberties of the subject to be touched upon, (which, indeed, was the first and true ground of the petition), shall not hereafter be drawn into example for your prejudice ; and, from time to time, on the word of a King, ye shall not have the like cause to complain. But as for Tonnage and Poundage, it is a thing I cannot be without, and was never intended by you to ask, nor meant by me, I am sure, to grant.

“To conclude, I command you all that are here to take notice of what I have spoken at this time to be the true intent and meaning of what I granted you in your petition. But especially you, my Lords the Judges, for to you only, under me, belongs the interpretation of laws, for none of the Houses of Parliament, either joint or separate, (what new doctrine soever may be raised), have any power either to make or declare a law without my consent.” \*

Having dismissed the Parliament, the very next day the King's printer was desired to attend the Attorney General at his chambers, who, as well as the Lord Privy Seal, there directed him by the King's special command that the Petition of Right, already printed with the King's second answer appended, should not be published, and he was then directed to print the petition with the King's first answer, which was done accordingly.†

\* Rushworth, I. 643. The Parliament was prorogued to the 20th of October.

† Ibid. I. 655 ; Parl. Hist. II. 437.



A more weak and useless course than this could not have been devised, for it subjected the King to a charge of duplicity, or even of making false representations, whilst in effect it was utterly powerless to alter or restrain the Petition of Right, to which he had given a full and unqualified assent. By assenting to that petition, Charles had bound himself and his successors, so long as it remained unrepealed, not to compel the payment of "any tax, or such like charge, without common consent by Act of Parliament," and this, whether he intended it or not, included Tonnage and Poundage. Nor was there any valid reason why these should not be included, for all law authorities agree that they were taxes grantable by Parliament for such a term of years as to them seemed advisable ; and though, in the 31st of Henry the Sixth's reign, and down to the reign of Charles, it had been customary to grant them to the King for his life, yet in all previous reigns they had been granted for short periods, and to Charles they had not been granted at all. Yet for fifteen years he continued to levy these imposts without such parliamentary sanction, and only acknowledged his error just previously to the breaking out of the Civil War.\*

Disputing his title to levy those imposts without their sanction was not the only conduct of the Commons which induced Charles to hurry their sessional proceedings to a close.

We have seen that they had re-opened their attacks upon Buckingham, and this had resulted in a

\* The Statute 16 Charles I. c. 8, renounces all power to levy Tonnage and Poundage without the expressed consent of Parliament. They were first levied in the 45th year of Edward III.'s reign.—*Cottoni Posthuma*, 172.

Remonstrance to the King, in which they charged not only the Duke with being "the principal cause" of the evils and dangers that had befallen England, but now, for the first time, implicated Dr. Neale and Dr. Laud, the Bishops of Winchester and Bath and Wells. Charles wrathfully designated this as a Remonstrance "no wise man can justify ;"\* yet there is nothing in it but a detail of the ill-conducted expeditions and oppressions which had lately caused loss both to our wealth and honour, and pointing out that this probably arose from too much power—too many offices being accumulated upon one official. Among the last sentences of the Remonstrance was this—"As it is not safe, so, sure we are it cannot be for your service, it being impossible for one man to manage so many and weighty affairs of the kingdom as he has undertaken, besides the ordinary duties of those offices which he holds. Some of which offices, well performed, would require the time and industry of the ablest men both of counsel and action, that your whole kingdom will afford, especially in these times of common danger."† Let no one imagine that this conclusion had no better basis than envy and prejudice, for at this very time the great favourite's titles were blazoned thus :—

"George, Duke, Marquis, and Earl of Buckingham, Earl of Coventry, Viscount Villiers, Baron of Whaddon, Great Admiral of the Kingdoms of England and Ireland, and of the Principality of Wales, and of the dominions and islands of the same, of the town of Calais, and of the Marches of the same, and of Normandy, Gascony and Guienne ; General Governor of the seas and ships

\* Rushworth, I. 643.

† Ibid. 637.

of the said Kingdom ; Lieutenant General, Admiral, Captain General and Governor of his Majesty's royal fleet and army lately set forth ; Master of the Horse of our Sovereign Lord the King ; Lord Warden, Chancellor and Admiral of the Cinque Ports and of the members thereof ; Constable of Dover Castle ; Justice in Eyre of the Forests and Chases on this side the Trent ; Constable of the Castle of Windsor ; Gentleman of his Majesty's Bedchamber ; one of his Majesty's most Honourable Privy Council in England, Scotland, and Ireland ; and Knight of the Most Honourable Order of the Garter."\* It was not, however, only this accumulation of honour upon a man whose best qualities were profuse extravagance, elegance of manners, and fearlessness even when most wrong : it was that no honours, no preferments, no measure of Government, were adopted without his previous sanction or suggestion, which rankled in the bosom of every one who witnessed at the same time his incapacity as a general, as an admiral, and as a statesman. He was then, as now, generally known as a bold, bad man ; deceiving his master by his glittering acquirements, by knowing how to prevail with him from being his associate even in boyhood, and holding his ground against all competitors because, better than they, "he understood the arts of a Court, and all the learning that is professed there."†

As the Duke of Buckingham was assailed by the Commons, because they justly viewed him as the state-councillor from whom emanated the despotic ill-advised measures of the Government, so they directed their

\* Rushworth, I. 307.

† Clarendon's Hist. I. 26, fol. ed.

attacks against Dr. Mainwaring, as the most prominent of the ecclesiastical body who had brought the pulpit to the aid of arbitrary government, by preaching that "in cases of necessity the King had a right to order all as seemed good to him, without consent of his people; and that though the subject hath property of his goods in ordinary, yet, in extraordinaries the property was in the King."\* These charges, preferred by the Attorney General, were not denied, and it did not mitigate the indignation of the Parliament to find that the sermons, in which such doctrines were promulgated, were preached before the King, and printed by his special command, under the title of "Religion and Allegiance;" though even Dr. Laud had besought his Majesty to reconsider his decision, "for there were many things therein which would be very distasteful to the people."† The sentence was severe, for Dr. Mainwaring was directed to pay a fine of 1,000*l.*; to be imprisoned during the pleasure of the House; to be suspended from the ministry for three years; to be disabled either from preaching at Court, or holding any secular office or ecclesiastical dignity; to make submission for his offence, and have his sermons publicly burned.

The sentence was severe, but it was enunciated to mark the sense entertained by Parliament of doctrines so subversive of public liberty, and no severity was beyond the reach of the royal pardon, which would scarcely be withheld from one whose unconstitutional doctrines had been promulged in obedience to the King's own mandate.

\* Parl. Hist. II. 411.

† Ibid. 416.



## CHAPTER IV.

The King's patronage of Drs. Mainwaring and Montague.—Mr. Kirton.—Popish followers of Henrietta Maria.—Her disregard of the Pope's mandate at her marriage.—Unbecoming conduct of the Queen's French attendants.—Charles insists on their dismissal.—Their departure.—Arrival of the French ambassador.—King's letters to Buckingham and to the French King.—Queen's vow to educate her children in the Faith of Rome. Details of Popish intrigues.—The Court tampers with leaders of the Commons.—Sir T. Wentworth.—Pym's rebuke.—Mr. Wandesford.—Wentworth's rapid promotion.—Succeeds Lord Falkland as Lord Lieutenant of Ireland.—The Great Earl of Cork.—His remarkable career.—Assassination of Buckingham.—His previous warnings.—Letter from Sir W. Fairfax to Sir T. Fairfax of Denton.—John Felton the assassin.—His fearless bearing.—Sir John Hippesly bears the tidings of the murder to the King.—His distress and wrath.—Sympathy of the Puritans with Felton.—Rev. Mr. Gill.—Felton before the Privy Council.—His reply to Laud.—The King sanctions torture.—Forbidden by the laws of England.—Felton pleads guilty.—Is hanged at Tyburn.

"I OWE the account of my actions to God alone,"\* were among the last sentences with which Charles dismissed his Parliament, and he now proceeded to act during its temporary absence as if all late experience had passed over him unheeded, and as if he really believed that Parliament would allow his conduct to remain unscrutinised until brought to judgment before the King of Kings. It is true that he suppressed by proclamation the sermons of Dr. Mainwaring, and another equally reprehended by the Commons, entitled "Appello

\* Rushworth, I. 643.

Cæsarem," the preacher of which was Dr. Montague ; but then the latter was raised to the Bishopric of Chichester, and Dr. Mainwaring had some golden livings, and finally the See of St. David's.\* The right thus to pardon and promote was undoubtedly with the King, but the judicious exercise of that right would have been more beneficial to Charles, than a demonstration that he possessed it. His Parliament had censured, and he had acquiesced in that censure, and it would have been wiser not at once to have scoffed at the condemnation and the judges, by promoting those high-prerogative offenders ; for the inference was obvious, and the consequence certain. The reward was more likely to encourage, than the condemnation to deter ; and one of the Commons, Mr. Kirton, uttered no other than the dictate of common sense when he observed—" Calling in of the ' Appeals to Cæsar ' will avail nothing, if they can get bishoprics for writing such books."†

Although Charles patronised those ecclesiastics whose tenets favoured the high prerogative and divine right of kings—tenets held by them in common with those of the See of Rome, yet there is no just ground for believing that he inclined to the religion of its pontiff. So far from having such a tendency, every act of his life, from the dismissal of the Queen's attendants to his dying declaration to Bishop Juxon, evince a firm adhesion to the religion of the Reformed Church. He even yielded too much to the persecuting spirit of its puritan members, and punished by fines and imprisonments the professors of the Roman Catholic faith, or Popish recusants, by which epithet of criminality they were then most popularly known.

\* Rushworth, 646, 7.

† Parl. Hist. VIII. 261.

These recusants, unfortunately for themselves, were not only instruments of proselytism to a faith most obnoxious to popular hatred and fear, but they were, in various modes, identified with the Queen and a party having at heart the interests of France. The stipulations in her marriage-treaty strengthened, and designedly strengthened, the papal influence in this island. In a manuscript entitled "A True Relation of the Treaty and Ratification of the Marriage concluded and agreed upon between our Sovereign Lord, Charles, King of Great Britain, &c., and the Lady Henrietta Maria, Sister to the French King,"\* the clauses savouring of Richelieu's craft are particularly specified. Special provision is made "that the said lady and all her followers, as also the children which shall be born to her officers, shall have free exercise of the Catholic, apostolic, and Roman religion, and to that end the foresaid lady shall have a chapel in each of the King's palaces." "It is also agreed that the said lady shall have a bishop for her great almoner, who shall have all jurisdiction and necessary authority for all matters or causes concerning religion." "It is likewise agreed that the said lady shall have twenty-eight priests or ecclesiastical persons in her house, comprehending therein her almoner and chaplain;" and "the children which shall by reason of the said marriage be born and live, shall be nursed and brought up near unto the said lady and Queen from the time of their birth until they come to the age of thirteen years."

These provisions were endeavoured to be carried out to the letter, and were the occasion of a never-ending series of quarrels and conflicts, of which the arena varied

\* Fairfax MSS.

from the royal bed-chamber to the royal banqueting-room; and no conclusion to them was in prospect, for it was provided, not only that "all the household servants which the said lady shall carry into England shall be priests, Catholics, and French by birth, and chosen or approved by his most Christian Majesty," but also, that when "any of them die, or that the foresaid lady be willing to change her said servants, then she shall take in their steads other Papists, Catholics, French or English, always provided that His Majesty of Great Britain consent thereunto." This last proviso was a slight recognition of the King's right to have some control over every member of his own household; but, even if unrecognised, and though with less of a Stuart spirit than that of Charles, no man could submit to the discomforts and intrigues which followed, and which nothing but force itself was able, at length, to remove.

On the 11th of May, 1625, the marriage had been solemnised at Paris, the Duke de Chevreux being proxy for the royal bridegroom, and on the 13th of June the youthful couple were in each other's arms at Canterbury. Yet the Roman pontiff had in the interval, brief as it was, made them feel his chain. The bride, hastening to her husband, was commanded to arrest her progress at Amiens, and perform sixteen days' penance for wedding a heretic.

Charles, at Canterbury, was awaiting her arrival, and replied to the intelligence of this intrusion, that he desired her to neglect the injunction, or he must return to London. He had to open the Parliament on the 18th of the month. She obeyed her husband, well conscious that the Pope, who had been bought to permit the marriage, could as easily be influenced to pardon



her disobedience.\* She also disregarded the behests of the Church on the first day of her dining in public. It was the vigil of St. John the Baptist, and a fast of the Roman Calendar; yet despite her confessor's remonstrance, she partook of pheasant and venison, resolving to endure future penances rather than not gratify, at her first introduction, her husband and his people. There was discretion in this beyond her years, for she was not yet seventeen, and still more in her reply to the embarrassing question, How she could abide a heretic? "Why not?" was her answer; "was not my father one?"†

These compliances and courtesies, however, were a symphony to discord. Her almoner, Du Plessis, Bishop of Mendes, was young and indiscreet; and Père Sancy, her confessor, was supercilious, overbearing, and intriguing.‡ It is therefore no cause for surprise, considering such tutors, that she and her French household soon became obnoxious, more especially as M. de Blainville forgot his position as ambassador, and descended to participate in their political intrigues. Charles, uncontradicted and much less refuted, charged him with this, and obtained his recall. But no removal of evil would have been secured if the charges had proceeded no further, for nearly all the French members of the Queen's household bore themselves in a similar unbecoming manner. This, at length, became so intolerable, that on the 1st of July, 1626, little more than twelve months after the marriage,

\* Ellis's *Original Letters*, 1st series, III. 200.

† *Ibid.* 198.

‡ Père Berulle was the Queen's first confessor, and a very opposite character to his successor. He was rewarded with a cardinal's hat for his judicious conduct, whilst seeking a dispensation at Rome for the marriage of Henrietta with Charles.

Charles, attended by some of his chief ministers, summoned the whole of the Queen's servants before him at Somerset House, and thus firmly, but temperately, addressed them :—

“ Gentlemen and Ladies,—I am driven to that extremity, as I am personally come to acquaint you that I very earnestly desire your return for France. True it is, the deportment of some amongst you hath been very inoffensive unto me ; but others, again, have so dallied with my patience, and so highly affronted me, as I cannot, I will not, longer endure it.”

Loud was the clamour in reply, for “the bed-chamber women” were there ; and even the French ambassador confessed that amongst all the inconveniences they were “the greatest obstacle” to pacification. All, as is usual, professed ignorance of any conduct entitled to condemnation, and were vociferous for particulars. But Charles retired with dignity, replying to each, “I name none ;” but was compelled to pause and remove the Queen, who was even more violent than her attendants.\*

The Secretary of State, Lord Conway, announced to the disordered assemblage, that early on the morning following, carriages for themselves, and wagons for their baggage, would be in attendance to convey them to Dover. It was found to be impossible, however, to remove them thus promptly ; and some delay being permitted to make the necessary arrangements, such excuses and

\* Hist. of Henrietta, &c. ed. 1660, p. 36 ; Letter from Mr. Pory to Mr. Mead ; Harl. MSS. 383 ; L'Estrange's Life of Charles I. &c. In this undignified struggle, the Queen broke several panes of glass ; but the King was firm, telling her that the separation “must be so,” and confined her to other apartments. Howell's Letters, 194, differs in the details, but is sufficiently accordant to establish the chief facts.

intrigues were resorted to, while even an ambassador-extraordinary from France was approaching to obtain a revocation of the decrees of banishment, that Charles, at last, lost all patience, and wrote thus to Buckingham:—

“ STEENIE,

“ I have received your letter by Dick Graham.\* This is my answer. I command you to send all the French away to-morrow out of the town. If you can, by fair means, but stick not long in disputing, otherwise, force them away, driving them like so many wild beasts, until ye have shipped:—and so, the devil go with them. Let me hear no answer, but of the performance of my command. So I rest

“ Your faithful, constant, loving friend,

“ C. R.”†

“ *Oaking, the 7th of August, 1626.*”

The authority to employ compulsion was necessarily called into operation, for a contemporary letter-writer, at a date four days subsequently, says—

“ Monday last was the peremptory day for the departure of the French; what time the King’s officers attending with coaches, carts, and barges, they contumaciously refused to go, saying they would not depart till they had orders from the King; and, above all, the bishop stood upon his punctilios. This news being sent

\* Sir Richard Graham.

† There is no doubt that the resolution to dismiss the Queen’s household, and thus break up the French faction, was an act of the King’s own. Buckingham opposed it; and there are letters from the King to him, observing his persuasions had too long prevailed, but that “it must be done, and that shortly.”

in post to the King on Tuesday morning, his Majesty despatched away to London the Captain of the Guard, attended with a competent number of his yeomen, as likewise with heralds, messengers, and trumpeters ; first, to proclaim his Majesty's pleasure at Somerset House gate, which, if it were not speedily obeyed, the yeomen of the Guard were to put it in execution, by turning all the French out of Somerset House by head and shoulders, and shutting the gate after them. Which news, as soon as the French heard, their courage came down, and they yielded to be gone next tide."\*

They pardonably asked for a short delay until after night-fall, that they might avoid the ridicule and insults of the mob. This, however, they did not entirely escape, during the four days occupied by their journey to Dover, and one man ventured even to throw a pebble at Madame St. George's cap as she stepped into the boat. This vulgar rudeness was visited with a punishment far exceeding its demerit, for an English courtier passed a rapier through the man's body, and he died on the spot ; nor does his murder appear to have been punished.†

"About a matter of six score French, for their petulance, and some misdemeanors, and imposing some odd penances upon the Queen, were thus cashiered,"‡ and, in less than two months subsequently, M. Bassompierre arrived, as ambassador-extraordinary, to demand for the French King an *amende* for this alleged infraction of the marriage treaty. A full detail of the offences leading to this banishment was now required ; a detail which left no doubt of its justice, and which could only result in the ambassador's unsuccessful return. The

\* Ellis's Original Letters, 1st series, III. 245.

† Ibid. 248.

‡ Howell's Letters, 194.



narrative of these offences, signed by the chief English ministers of State, and much of the evidence by which it was sustained, have been preserved, and afford a very amusing record of Roman Catholic audacity, whilst it serves to justify the Puritan jealousy of the royal household, and vindicates the King from any tendency to that religious creed. It shows that the French priests and others had laboured to promote the dissensions in the Parliament, had established illegal seminaries, and converted the Queen's palace into a rendezvous for Jesuits and others proscribed by our law. Of these the Bishop of Chalcedon was a very notable example, for though a proclamation was issued for his apprehension and committal to the Castle of Wisbeach,\* yet he was concealed at Somerset House; a fact said to have been known to the King, but who was willing probably that he should escape rather than be exposed to a lingering imprisonment. †

Another clause of accusation was, that they fomented discord between the King and Queen, by encouraging the latter to follow their wishes and to oppose his, "as a thing essential to the welfare of the Church." That they succeeded in this effort we have ample testimony, and among them the following, in the King's own handwriting, being a portion of a letter to the Duke of Buckingham at Paris :—

"You must advertise my mother-in-law that I must remove all those instruments that are causes of unkindness between her daughter and me, few or none of her servants being free of this fault in one kind or other.

\* Rushworth, I. 645.

† MS. quoted by D'Israeli; Hist. of Charles the First, II. 209.

Therefore, I should be glad that she might find a means to make themselves suitors to be gone. So requiring of thee a speedy answer to this business (for the longer it is delayed, the worse it will grow), I rest,

“Your loving, faithful, constant friend,

“CHARLES REX.”

“*Hampton Court, the 20th of November, 1625.*” \*

Another letter, also from Charles, but in this instance addressed to the French King, gives us a more particular insight into his domestic annoyances. “One night,” for this relates a curtain-lecture, “when I was in bed, she put a paper in my hand, telling me it was a list of those that she desired to be of her retinue. I took it, and said I would read it next morning ; but, withal, told her, that by agreement in France, I had the naming of them. She said there were both English and French in the note. I replied, that those English I thought fit to serve her I would confirm ; but for the French, it was impossible for them to serve her in that nature. Then she said, all those in the paper had breviates from her mother and herself, and that she would admit no other. Then, I said, that it was neither in her mother’s power, nor in her’s, to admit any without my leave, and if she stood upon that, whomsoever she recommended should not come in.† Then she bade me plainly take my lands to myself, for if she had no power to put in whom she would in those places, she would have neither

\* Harleian MSS. 6988.

† The Queen’s Almoner was one of those she wished to have placed in office, for Mr. Howell says, in one of his letters, “The Bishop of Mendes stood to be Steward of Her Majesty’s Courts, which office my Lord of Holland hath.”—*Howell’s Letters*, 194. It never would have been tolerated to have Frenchmen managing any portion of the Royal revenues.

lands nor houses of me, but bade me give her what I thought fit in pension. I bade her, then, remember to whom she spoke, and told her that she ought not to use me thus. Then she fell into a passionate discourse, how she is miserable in having no power to place servants, and that businesses succeeded the worse for her recommendation ; which, when I offered to answer, she would not so much as hear me. Then she went on saying she was not of that base quality to be used so ill. Then I made her both hear me and end that discourse."

This effort was a portion of a systematic attempt, having for its object the promotion of Roman Catholics and the re-establishment of their religion in her adopted country : a system solemnly and deliberately preconcerted ; for a copy of a contract exists, to which the Pope and the King of France are parties, whereby she vowed to educate her children in their common faith, and to have none but Roman Catholics to attend upon them.\* Had this been publicly known, England would not have submitted quietly to her elevation to the Queen-consortship, and its consequences are evinced by the fact, that all her children who lived to a ripe age either lived or died professing that faith ; and of such importance was it considered at the time, that there was a contest in 1633, even whether the young Prince James should imbibe nourishment from the breast of a Papist or of a Protestant. It descended to such a ridiculous squabble, that if the nurse would have professed herself a convert to the Reformed faith, she would have been considered unexceptionable ; but as the Queen was violently enraged, and the woman's health suffered, the ladies had their

\* *Ambassades du Mareschal de Bassompierre*, III. 49.

way, the Protestants being obliged to consign the child to a Papist's breast, though they would have preferred that of a hypocrite.\* Pitiably as are such passages, yet there was cause abundant for the King to resolve strenuously to put down the attempted encroachments and intrusions of the Romanists.

These attempts to obtain precedence and domination commenced with the Queen's arrival, for in the October of that year, Mr. Mead, writing to Sir Martin Stuteville, describes the following scene: "The King and Queen dining together in the presence, Mr. Hacket (the chaplain and biographer of Lord Keeper Williams) being there to say grace, the confessor would have prevented him, but that Hacket shoved him away; whereupon the confessor went to the Queen's side, and was about to say grace again, but that the King, pulling the dishes unto him, and the carvers falling to their work, hindered him. When dinner was done, the confessor thought, standing by the Queen, to have been before Mr. Hacket, but Mr. Hacket again got the start. The confessor nevertheless begins his grace as loud as Mr. Hacket, with such a confusion, that the King, in great passion, instantly rose from the table, and, taking the Queen by the hand, retired into the bed-chamber."†

The resort of Roman Catholics to the Queen's celebration of mass at St. James's was encouraged by the priests of her establishment, and this rose to such an extent, that by the King's order pursuivants stood at the door of the chapel to prevent the entrance of such intruders, and this led to contests and drawing of swords, not at all in unison with sacred rites. Despite such

\* Strafford's Letters, I. 141.

† Sloane MSS. 4177.



opposition, the concourse of worshippers was so numerous that the priests importuned for the special erection of a larger chapel ; but the King rejected the application with more than customary asperity. "If the Queen's closet," said Charles, "where they now say mass, is not large enough, let them have it in the great chamber ; and if this be not wide enough, they may use the garden ; and if the garden would not serve their turn, then is the park the fittest place."

At length came the climax, which cannot be better described than in the words of the State Paper signed by the King's ministers and delivered to M. Bassompierre. "They abused the influence which they had acquired over the tender and religious mind of her Majesty, so far as to lead her a long way on foot, through a park, the gates of which had been expressly ordered by the Count de Tilliers (the French ambassador) to be kept open, to go in devotion to a place (Tyburn) where it has been the custom to execute the most infamous malefactors and criminals of all sorts, exposed on the entrance of a high road. An act, not only of shame and mockery towards the Queen, but of reproach and calumny of the King's predecessors, as accusing them of tyranny in having put to death innocent persons, whom these people (her French suite) look upon as martyrs ; although, on the contrary, not one of them had been executed on account of religion, but for High Treason. And it was this act, above all, which provoked the royal resentment and anger of his Majesty beyond the bounds of his patience."\* The French ambassador attempted to discredit what he dared not to deny, nor could he

\* Ambassades de M. Bassompierre, III. ; Harl. MSS. 1323.

have found an answer to this just criticism in a letter from Mr. Pory to Mr. Mead, and written at the time, the July of 1626—"The priests had made her dabble in the dirt on a foul morning from Somerset House to St. James's, her Luciferian confessor riding along by her in her coach! They have made her go barefoot, with many other ridiculous and absurd penances. If they dare thus insult over the daughter, sister, and wife of so great kings, what slavery would they not make us, the people, to undergo!"\*

M. Bassompierre did all that an ambassador could do for effecting a revocation of the decree of banishment, but in vain, for when at last he was driven to the higher ground of complaint that it was an infraction of that clause of the marriage-treaty which promised immunities to Roman Catholics, he was at once precipitated from his elevation by the undisputed fact that that clause "was agreed to by our Commissioners, and accepted by theirs, *simply as a matter of form, to satisfy the Roman Catholic party of France and the Pope.*"†

The details of the Roman Catholic intrigues, and of the measures adopted by Charles to counteract them, have caused some complexity in our tracing the current of events. We now return to the other memorable occurrences of the Parliamentary recess of 1628, most prominent among which was the successful tampering of the Court with some of the leaders of the country party. Far the most superior in ability and influence among these was Sir Thomas Wentworth. Foremost in every assault against the unjust exercise of the royal

\* Harl. MSS. No. 383.

† Ambassades de M. Bassompierre, III. 312; Harl. MSS. 1323.





*Jos. Bronzino*

1600 1610 1620 1630 1640 1650

1660 1670 1680 1690 1700 1710 1720 1730 1740 1750



prerogative ; firm, not to say fierce, in every demand for security to the people's liberty, no greater blow, no treachery more discouraging, could have befallen the reformers of the day. Wentworth proving false, who could be relied on as faithful ? Yet even whilst combating for the Petition of Right, it is now evident he was not turning with scorn from the pander who trafficked for his counter-support.\* Whilst the Parliament was sitting, Wentworth sought at Greenwich a conference with Pym. Here, by hints and allusions, he began sounding his friend, to ascertain whether he might be tempted to desert the party in whose ranks they had contended side by side. But Pym abruptly interrupted him, by saying,—“ You need not use all this art to tell me you have a mind to leave us : but remember what I tell you :—you are going to be undone. Remember, also, that though you leave us, I will never leave you while your head is upon your shoulders.”† And Pym kept his word.

Parliament was prorogued on the 26th of June, and on the 22nd of July Wentworth was elevated to the peerage as Baron Wentworth, and in the December following he was advanced to be a viscount. “ Sir Thomas Wentworth and Mr. Wandesford,”‡ says Howell, writing to the Countess of Sunderland, August 5th, “ are grown great courtiers lately, and come from Westminster Hall to Whitehall (Sir John Savile, their countryman,

\* See a letter to him from the courtly Speaker, Sir John Finch, dated May 28th, 1628.—*Strafford Letters*, I. 46.

† Wellwood's Memorials, 53.

‡ Christopher Wandesford was related, by intermarriage, with Wentworth's family. He was made Master of the Rolls in Ireland, and Deputy Lieutenant of that country by his greater kinsman. He had been a reformer in Parliament.

having shown them the way with his white staff.\*) The Lord (Treasurer) Weston tampered with the one and my Lord Cottington took pains with the other, to bring them about from their violence against the prerogative. I am told the first of them is promised my Lord's place at York, in case his sickness continues."† This rumour was correct, for Wentworth was shortly after made a privy councillor, appointed to the Lord Lieutenancy of Yorkshire and the Presidency of the Castle, in the room of Lord Sunderland. "The Duke of Buckingham himself," observes Mr. Howell, writing to his father, December 3rd, 1630, "flew not so high in so short a revolution of time. My Lord Powis, who affects him not much, being told that the heralds had fetched Wentworth's pedigree from the blood-royal, namely, from John of Gaunt, said: 'Dammy, if ever he come to be King of England, I will turn rebel!'"‡

This rapidity of promotion was not interrupted, until Lord Wentworth succeeded Lord Falkland as Lord Lieutenant of Ireland at the close of 1631; and it may be here observed, that he commenced his government of that island with the pride-dictated mistake of an implacable enmity with "the great Earl of Cork." This nobleman, just made hereditary Lord Treasurer of Ireland, was one of the most loyal, charitable, and able of the Irish peers. He had been the sole architect of his own fortunes, and, with true nobleness of mind, left

\* Sir J. Savile, of Howley, in Yorkshire, was made Comptroller of the King's Household, and had been raised to the Peerage the day previously to Wentworth, who, in other efforts, had always been his superior, and unalterable enemy. *Warwick's Memoirs*, 48.

† Howell's Letters, 216, 9th ed. Lord Scrope of Bolton, was created Earl of Sunderland in 1628.

‡ Ibid. 226.

behind him this record of his career, a copy of which is among the Fairfax MSS.\*

“I, Sir Richard Boyle, Knight, Lord Boyle, Baron of Youghal, Viscount of Dungarvan, Earl of Cork, Lord High Treasurer of Ireland, one of his Majesty’s Honourable Privy Council, and one of the two Lords Justices for the Government of this Kingdom, do commend these true remembrances to posterity this 23rd of June, 1632, who have now lived in this Kingdom of Ireland full forty-four years, and so long after as it shall please Almighty God. My father, Mr. Roger Boyle, was born in Herefordshire ; my mother, Joan Nayler, daughter to Roger Nayler, of Canterbury, in the county of Kent, Esquire, was born there the 15th day of October, in the thirty-first year of King Henry the Eighth. And my father and mother were married in Canterbury, the 16th day of October, in the eighth year of the reign of Queen Elizabeth. My father died at Preston, near Feversham, in Kent, the 24th day of March, 1576. My mother never married again, but lived ten years a widow, and then departed this life, at Feversham, the 20th day of March, 1586, and they are both buried in one grave, in the upper end of the Chancel of the parish church of Preston. In memory of which, my deceased and worthy parents, I, their second son, have, in 1629, erected a fair alabaster tomb over the place they were buried in, with an iron grate before it, for the better preservation thereof. I, Sir Richard Boyle, now Earl of Cork, the second son of Roger Boyle, Esq., was born in the city of Canterbury, as I find it written with

\* It is endorsed by Bryan Fairfax ; “Copy of a Manuscript taken from the handwriting of the first Earl of Cork, relating to the rise of his family.”

my father's own hand, the 3rd day of October, 1566. After the decease of my father and mother, I, being the second son of a younger brother, having been a Scholar in Bennet's College, in Cambridge, and a Student in the Middle Temple, at London, finding my means unable to support me to study the laws at the Inns of Court, put myself into the service of Sir Roger Manwood, Lord Chief Baron of His Majesty's Court of Exchequer, whom I served as one of his clerks ; and perceiving that employment would not raise me to a fortune, I resolved to travel into foreign kingdoms, to gain learning, knowledge, and experience abroad in the world, and it pleased God by his Divine Providence to take me, I may justly say, as it were by the hand, and lead me into Ireland, where I happily arrived at Dublin, in Midsummer, the 23d day of June, 1588.

I was married at Limerick to Mrs. Joan Apsley, one of the two daughters and co-heirs of William Apsley, Esq., the 6th day of November, 1595, who brought me 500*l.* in lands the year, which I still enjoy, it being the beginning and foundation of my fortunes, and she died at Moyallow, the 14th day of December, 1599, in travail of her first child, which was born a dead son, and both lie buried together. When I first arrived at Dublin, in Ireland, the 23rd of June, 1588, all my wealth then was 27*l.* 3*s.* in money, and two tokens which my mother had formerly given me, viz., a diamond ring, which I have ever since and still do wear, and a bracelet of gold, worth about 10*l.* ; a taffeta doublet, cut with and upon taffeta ; a pair of black velvet breeches, laced ; a new Milan fustian suit, laced and cut upon taffeta ; two cloaks ; competent linen and necessities, with my



rapier and dagger ; and since, the blessing of God, whose Heavenly Providence guided me hither, hath enriched my weak estate in beginning, with such a fortune as I need not envy any of my neighbours, and added no care nor burthen of conscience thereunto. And this 23d of June, 1632, I have served my good Queen Elizabeth, King James, and King Charles, full forty-four years in Ireland, and so long hereafter as it shall please God to enable me.

When God had blessed me with a reasonable fortune and estate, Sir Henry Wallop, Treasurer at War, Sir Robert Gardiner, Chief Justice of the King's Bench, Sir Robert Dillon, Chief Justice of the Court of Common Pleas, and Sir Richard Bingham, Chief Commissioner of Connaught, being displeased for some purchases which I had made in that Province, they all joined together and by their letters complained against me to Queen Elizabeth, expressing that I came over a young man without any estate or fortune, and that I had made so many purchases as it was not possible to do it without some Foreign Prince's purse to supply me with money ; that I had acquired Castles and Abbeyes upon the sea-side fit to receive and entertain Spaniards ; that I kept in my Abbeyes fraternities and convents of friars in their habits, who said Mass continually, and that I was suspected in my religion ; with divers other malicious suggestions, whereof I, having some secret notice, resolved to go into Munster, and so into England, to justify myself. But before I could take shipping, the General Rebellion in Munster brake forth ; all my lands were wasted, so as I could not say that I had one penny of certain revenue left me, to the unspeakable danger and

hazard of my life. Yet God so preserved me as I reached Dingle, and got shipping there, which transported me to Bristol, from whence I travelled to London, and betook myself to my former chamber in the Middle Temple, intending to renew my studies in the laws till the Rebellion was passed over. Then Robert, Earl of Essex, was designed for the government of this Kingdom, unto whose service I was recommended by Mr. Anthony Bacon, whereupon his lordship very nobly received me, and used me with much grace and favour in employing me in suing out his Patent and Commission for the Government of Ireland; whereof Sir Henry Wallop, Treasurer, having notice and being conscious in his own heart that I had sundry papers and collections of Michael Kettlewells, his late Vice-Treasurer, which might discover a great deal of wrong and abuse done to the Queen in his late accounts, and suspecting that if I was countenanced by the Earl of Essex, that I would bring those things to light, which might much prejudice and ruin his reputation and estate, and although, I vow to God, that until I was provoked I had no thought thereof, yet he, utterly to suppress me, renewed his former complaint to the Queen's Majesty against me; whereupon, by her Majesty's especial direction, I was suddenly attached and sent close prisoner to the Gate-house; all my papers were seized and searched; and although nothing could appear to my prejudice, yet my close restraint was continued till the Earl of Essex was gone for Ireland, and two months afterwards, at which time, with much suit, I obtained of her Sacred Majesty the favour to be personally present at my answer, where I so fully answered and cleared all their objections and delivered

such full and evident justifications for mine own acquittal, as it pleased the Queen's Majesty to use these words :— 'By God's death, all these are but inventions against the young man, and all his sufferings are for being able to do us service, and these complaints urged to forestal him therein ; but we find him to be a man fit to be employed by ourselves, and we will employ him in our service, and Wallop and his adherents shall know that it shall not be in the power of any of them to wrong him ; neither shall Wallop be our Treasurer any longer : ' and thereupon directing her speeches to her Lords of her Council then present, commanded them presently to give her the names of six men, out of which she might choose one to be Treasurer of Ireland, her election falling upon Sir George Cary, of Cookington ; and then the Queen's Majesty, from Council, gave order not only for my present enlargement, but also for the discharging of all my charges and fees during my restraint, and gave me her Royal hand to kiss, which I did heartily, humbly thanking God for this deliverance. Being commanded by her Majesty to attend at Court, it was not many days before her Highness was pleased to bestow upon me the office of Clerk of the Council of Munster, and to command me over to Sir George Cary, after Earl of Totness, then Lord President of Munster, whereupon I bought of Sir Walter Rawleigh his ship called the Pilgrim, into which I took a freight of ammunition and victuals, and came in her myself by long seas, and arrived at Carrigfoyle in Kerry, where the Lord President and the army were then at the siege of that castle which we had beleaguered. I was there sworn Clerk of the Council of Munster, and presently after made a

Justice of the Peace and Quorum throughout all that Province. And this was the second rise that God gave to my fortunes.

Then, as Clerk of the Council, I attended the Lord President in all his employments, and waited upon him all the whole siege of Kinsale, and was employed by his Lordship to her Majesty with the news of the happy victory. In which employment I made a speedy expedition to Court, for I left my Lord President at Shandon Castle, near Cork, on the Monday morning about two of the clock, and the next day, being Tuesday, I delivered my packet and supped with Robert Cecil, being then Principal Secretary, at his house in the Strand, who, after supper, held me in discourse till two of the clock in the morning, and by seven of the clock that morning called upon me to attend upon him to the Court, where he presented me to her Majesty, in her bed-chamber, who remembered me, calling me by my name, and giving me her hand to kiss, telling me that she was glad I was that happy man to bring the first news of that glorious victory. And after her Majesty had interrogated with me upon sundry questions very punctually and precisely, and that therein I had given her full satisfaction in each particular, she gave me again her Royal hand to kiss, and commanded my dispatch for Ireland, and so dismissed me with great grace and favour. At my return into Ireland I found the Lord President ready to march with the army to the siege of Berehaven Castle, then fortified and possessed by the Spaniards and some Irish rebels, which, after by battery we had made accessible, we entered, and put all to the sword. His Lordship then fell to reducing those western



parts of the Province to subjection and obedience to her Majesty's laws, and having placed garrisons and wards in all places of importance, made his return to Cork, and in the way homewards acquainted me with his resolutions; it being to employ me presently into England to obtain licence of her Majesty for his repair to her Royal presence; at which time he propounded to me the purchase of all Sir Walter Rawleigh's lands in Munster, offering me his best assistance for the compassing thereof, which he really performed, for upon my dispatch into England he wrote by me two effectual letters, one to Sir Robert Cecil, wherein he was pleased to magnify my service and abilities, concluding with a request that he would mediate with Sir Walter Rawleigh to sell me all his lands in Ireland, then altogether waste and desolate. To Sir Walter Rawleigh he also wrote, advising him to sell me all his lands in Ireland, which were then untenanted and of no value to him, mentioning withal that in his Lordship's knowledge his estate in Ireland never yielded him any benefit, but contrary-wise stood him in 200*l.* yearly for the maintenance and support of his titles. Whereupon there was a meeting between Sir Robert Cecil, Sir Walter Rawleigh, and myself, where Sir Robert Cecil mediated and concluded the purchase between us, and accordingly my assurances were perfected, and this was a third addition and rise to my estate. Then I returned into Ireland with my Lord President's licence to repair to Court, where in his way to Dublin, whence he purposed to embark, he dealt most nobly and father-like with me in propounding to me that it was high time for me now to take a wife, in hopes of posterity to inherit my lands, advising me to make

choice of Sir Geoffry Fenton's only daughter, and that if I could affect her he would treat with her parents to have the match between us; wherein he prevailed so far as, the 9th day of March, 1602, I was in his Lordship's presence contracted to her in her father's house in Dublin.

The 25th day of July, 1603, I was married in Dublin to my second wife, Katherine Fenton, the only daughter of Sir Geoffry Fenton, Knight, Principal Secretary of State, and Privy Councillor of Ireland, with whom I never demanded any marriage-portion, neither had promise of any, it not being in my consideration; yet the father, after our marriage, gave me 1000*l.* in gold with her, but that gift of his daughter unto me I must ever thankfully acknowledge to Almighty God as the crown of all his manifold blessings, for she was a most religious, virtuous, loving, and obedient wife unto me all the days of her life, and the happy mother of all my hopeful children, whom with their posterities I beseech God to bless.

The 10th day of July, 1620, my eldest brother, Dr. John Boyle, Lord Bishop of Cork, Cloyne, and Ross, departed this life at Bishop's Court, near Cork, and the 12th of that month was buried in my new tomb erected in the chapel which I re-edified at Youghal, after whose death I obtained those Bishoprics of his Majesty for my uncle Michael Boyle's son, Richard Boyle, for whom I formerly obtained the Deanery of Waterford, who now succeeds my brother in those Bishoprics.

I, Richard, Earl of Cork, was knighted by Sir George Carew, Lord Deputy of Ireland, at St. Mary's Abbey, near Dublin, 25th day of July, 1603, being St. James's day; and the very day I was married to my second wife,

Mrs. Katherine Fenton, I was sworn a Privy Councillor to King James for the Province of Munster, at the Council-table at Dublin, by the Lord Chichester, Lord Deputy of Ireland, 12th day of March, 1606, with commandment from the Lord Deputy and Council to Sir Henry Brounker the Lord President of Munster, to admit me into that Council, who, upon former direction from the State, had refused either to swear or admit me a Councillor of that Province.

I was sworn a Privy Councillor of State of the Kingdom of Ireland by the Lord Chichester, the Lord Deputy, at Chichester House, 15th day of February, 1613, being the day I arrived out of England at Dublin, 1613.

I was created Lord Boyle, Baron of Youghal, on Michaelmas Day, being the 29th of Sept., Anno Domini, 1616.

I was created Lord Viscount of Dungarvan and Earl of Cork, 26th day of October, Anno Domini, 1620.

Adam, Lord Viscount Loftus of Ely, Lord Chancellor of Ireland, and I, Richard, Earl of Cork, were sworn Lords Justices for the joint government of this Kingdom of Ireland, 26th of October, Anno Domini, 1629, with the entertainment of 100*l.* sterling the month to each of us.

I was made Lord High Treasurer of Ireland, and sworn 9th day of November, Anno Domini, 1631."

The pathway of Wentworth's preferment was sloped by the death of Buckingham, who, at this juncture, fell by the hand of Felton. It is true that immediately after his assassination, the King, with the avowed intention to show the world that the Duke "did not govern him, but much the contrary," addressed himself with

unwonted industry to public business, and, as was observed by Lord Dorchester at the time, "the King holds in his own hands the total direction, leaving the executory part to every man within the compass of his charge." \* It is probable that Charles intended as he said, but infirmity of purpose, and defect of perseverance against difficulties, was the Stuart failing, and this resolution to be unwarped by favoritism, was not doomed to be a fortunate exception. Buckingham had been removed, but only to make way for Dr. Laud and Lord Wentworth. It is probable the latter would have been retained nearer the King if it had not been for the irksomeness of confronting in the Parliament his old co-patriots. Ireland, consequently, was made the field of his exertions in the Royal service.

The Duke of Buckingham's assassination occurred on the 23rd of August, 1628, and is an event too important to be passed over without some further particulars. His predominant error was a morbid desire of approbation, and he coveted it beyond all bounds of moderation, whether the tokens of commendation came from his sovereign or the mob ; and it was a source of agony to him to be ridiculed for the ill-association of an ornament as much as for the failure of a campaign. His friend, Sir Henry Wotton, says "He was ever greedy of honor," and his confidential secretary, Dr. Mason, relates that the Duke passed whole nights expressing querulous impatience at slights which he feared were passed upon him during his absence from Court. Never, therefore, was any annoyance greater than his at the knowledge of the universal condemnation passed upon his management of



the Rochelle expedition. The contempt of the poorer classes, and the hatred of the rich for their losses which were attributed to his misconduct, mingled with mutterings against his sincerity, maddened him to a desperation which needs no other tell-tale than his impassioned declaration to his parasite, Sir Balthasar Gerbier :—" Gerbier, if God please, I will go and be the first man who shall set his foot on the dyke before Rochelle, to die or do the work ; whereby *the world* shall see the reality of our intentions."

Never had man more warnings not to persist in an intention than Buckingham, on this occasion : warnings from pretended preternatural revelations ; warnings from those who knew the public odium towards him ; and warnings from those who had actual intelligence of impending peril to his person ; but he disregarded them all, and pressed forward on his journey to Portsmouth, personally to superintend the military preparations for the expedition.

These preternatural warnings, though admitted into their pages by Clarendon and other grave authorities, may be believed to have emanated from the fears of the Duke's mother, and to have obtained credit by the aid of family secrets revealed by her for that purpose.\* But the rumours of personal danger were too general not to have deserved some attention from a wise man. The public hate was such against the Duke, that a contemptible fortune-teller named Lamb had been ruffianed to death on the mere suspicion of being one of his creatures, nor did the mob's daring cease with that murder, for it was recorded in this popular chaunt, to be heard

\* Clarendon's Hist., I. 35.

commonly in the streets ; monitory, and, as it proved, prophetic :—

“ Let Charles and George do what they can,  
The Duke shall die like Doctor Lamb.\*

Even Lady Davies, the *clairvoyante* of that period, had foretold the speedy approach of his death, and Sir George Goring, afterwards Earl of Norwich, informed him, whilst on his journey, of a design against his life. Buckingham read the letter, and continued his route unheedingly. He even seemed to court danger, for though warned of men lurking with avowed murderous intent in a place to which he was approaching, still he pressed on, declining either the just precaution of a deviation from the road, or of wearing a breast-plate beneath his vest. “ There are no Roman spirits left,” was his bitter response of affected contempt for his humbler countrymen, an undervaluing of whom he, and most of his associates, lived to experience the fatal consequences. In vain did his companions urge him to be more cautious : he dazzled them with this justification of rashness—“ If I make my enemies believe I am afraid of danger, I shall never live without alarms.” His nephew, Viscount Fielding, requested permission to wear his cloak and blue ribbon, so that by imitating his mode of riding, any assassin might be made to hesitate before he aimed a blow, and more time and warning be thus given for defence. The Duke embraced the

\* Rushworth, I. 630. The Pasquinades of any period “ show how the wind sets ;” and among others of 1628 was this against Buckingham, taken from a post in Colman-street. “ Who rules England ?—The King. Who rules the King ?—The Duke. Who rules the Duke ?—The Devil.”—*Ellis's Orig. Letters*, III. 252, 1st Series.

profferer, whilst he declined the gallant proposal, and did no more than give some directions as to the order in which they should pursue their journey. There was truth in the warning, for a daring soldier seized the Duke's bridle as he entered the town, probably Petersfield, but was immediately rode over by one of the Duke's attendants, and dashing through the town, they reached Portsmouth without any further interruption.\*

The King also was there and had been for some days, and more than once, if the following letter, the date of which is not clear, from Sir William Fairfax of Streeton, does not relate to the Duke's first expedition to relieve Rochelle :—

TO THE RIGHT WORSHIPFUL SIR THOMAS FAIRFAX, AT  
DENTON, THESE.

SIR,

I have sent you here enclosed as exact a particular as I could of all things which concern the Navy. His Majesty stayed very near a fortnight in viewing the ships and seeing the soldiers trained at Portsmouth. All that were there speak honourably of the preparation, and confess that on man's part nothing is wanting. Yesterday, at chapel, there was a prayer for their good success, and I hope this pious proceeding of his Majesty will be exemplar through the whole kingdom. Where they bend their course is unknown, only it is conjectured they will touch about Rochelle and the Island of St. Martin, and do something at the Terceira's. When we hear further, I shall not fail to give you notice. In

\* Reliquiæ Wottonianæ, 229, &c.

the mean time, with mine and my wife's humble service,  
I rest your

True faithful servant,

WILL. FAIRFAX.\*

*London, Jul. (?) 27th.*

The hand by which he was to fall, was pursuing and not waylaying him. A younger son of mean fortunes, by name John Felton, (we now adopt almost the words of Wotton's narrative), born in Suffolk, and by nature silent and melancholy, had served under the Duke at the Isle of Rhé, as a lieutenant of foot, in Sir James Ramsey's regiment. He had applied for promotion to a company, on the death of his captain, but a gentleman named Powell had been preferred, and Felton, it was alleged, resigned his commission in anger and disgust. But this, as Wotton acknowledges, was only a fabrication to degrade and blacken the motive that induced the crime. Powell was "a gentleman of extraordinary valour," whose promotion "Felton acknowledged to be in itself usual and equitable,"† and we have the best of reasons for believing Felton's own confession to be truth, made as it was without fear, and at the very period when he was meeting the death he sought rather than endeavoured to avoid. About three hours before his execution, Felton told Sir Richard Gresham, the Sheriff, that his only inducement to commit the

\* Sir William Fairfax of Streeton. He was killed in a skirmish at Montgomery, on the 27th of November, 1644. By his wife, Frances, daughter of Sir Thomas Challoner, he had two sons, and the same number of daughters. The second son, Thomas, commanded a company of Charles the Second's body guard, and one of the daughters married into the Bladen family, some of whose letters are included in this work from the *Fairfax MSS.*

† *Reliquiæ Wottonianæ*, 231.



murder was the belief that the Duke was "one of the foulest monsters on the earth, and unworthy of any room within the bounds of humanity,"—a belief to which he was led by reading a book written by Dr. Egglestone, a Scotch physician, sustained, as he considered it, by the charges brought against the Duke by the Parliament's last "Remonstrance."

Once convinced that the achievement of the Duke's death would be a praiseworthy act, Felton was the character to consummate the crime with a fixity of purpose and a coolness which would render the victim's escape scarcely possible. "In a by-Cutler's shop on Tower Hill, Felton bought a tenpenny knife, so cheap was the instrument of this great attempt." It was the kind of weapon which, above all others, was adapted to give a death-wound, being a butcher's knife, fixed in its handle, borne in a sheath, always ready for use, and, being without a hinge, not liable to swerve from the direction intended. Felton, maimed in one hand, and thus incapable of grasping the sheath whilst drawing the weapon, sewed the sheath within the lining of his pocket, and thus armed, entered on the track of his victim. "Indigent and low in money," partly on foot and partly on horseback, he followed him to Portsmouth. There he arrived the night before the murder; and entering, on the following morning, with the crowd of officers and others, who attended at the Duke's lodgings at that time of bustle and confusion, so unfailingly attending an approaching embarkation, Felton approached him unnoticed and unquestioned.\* It was yet early in the morning,

\* The house still remains, and is No. 10, in the upper part of Portsmouth High Street.

and the Duke was passing from his breakfast-room to a more public chamber, when he was detained by M. Soubise, the noble agent of the Rochellers, to assure the Duke that the news of their town being relieved could not be true; and the Frenchman's manner had been so animated, that when the Duke fell, some of his friends thought that the blow had been given in anger by a Hugonot's hand.\* Still passing on across the hall, or lobby, to the chamber of audience, but before he could reach it, the Duke was again detained to hold a short confidential conference with Sir Thomas Fryer. Felton was near them, and as Sir Thomas bowed and drew on one side to allow the Duke to pass on, the person of the latter was left exposed, and Felton, with a back-handed blow, plunged the knife into his breast, leaving it in the wound. The aim was too true, the heart was deeply pierced. "Villain!" or "The villain hath killed me!" was the only exclamation he had power to make, before the gush of blood choked his utterance, as he plucked the weapon from his breast, staggered forward, and fell against the wall of the lobby. He was thence borne to a table, but that none of the most terrible incidents of such a death might be absent, before life was extinct, his Duchess, then pregnant, rushed forward, and from the landing-place of her chamber witnessed the death-struggle. This agonising event was seen by Lord Carlton, and is thus described by him in a letter to the Queen :—

"The Duchess of Buckingham and the Countess of Anglesea came forth into a gallery which looked into the

\* Sir P. Warwick's Memoirs, 34.

hall, where they might behold the blood of their dearest lord gushing from him. Ah! poor ladies, such were their screams, tears, and distractions, that I never in my life heard the like before, and hope never to hear the like again.”\*

So great was the consternation and confusion, that the assassin might have escaped undetected had he been so disposed, but he lingered near the house, and being uncovered, when a hat was found without a claimant, that circumstance pointed to him as an object of suspicion. His horse was fastened to a neighbouring hedge, but he had walked into the kitchen of the house and stood there without any effort to escape. After a while, being undetained, he passed out and sauntered leisurely before the house. Some one noticing him, a stranger and bare-headed, exclaimed, “Here is the fellow who killed the Duke!” and another by-stander inquiring, “Where is the villain?”—Felton at once advanced towards them, and offering to deliver his sword, replied, “I am the man—here I am.” Lord Carlton, who witnessed his surrender, with the aid of Sir Thomas Morton and others, preserved him from the fury of the Duke’s attendants, to whose swords he approached with open arms, evidently willingly to die, though without any sign of repentance for the deed.†

His captors, taking him into a private room, proceeded to examine him as to the motives which induced him to perpetrate so foul a crime. Thinking it might aid the inquiry, they spoke as if the Duke was only wounded; but Felton replied, with a smile, that “he

\* Ellis’s Original Letters, III. 267 (1st series).

† Clarendon’s Hist. I. 24.

knew well enough he had given a blow that had determined all their hopes," adding, at another time, "When I struck I felt in me the force of forty men."

In reply to inquiries as to who had instigated him to commit the murder, he said, "No man living had credit or influence enough with him to have engaged or disposed him to such an action ; he had never even entrusted his purpose to any man, but it had proceeded only from the impulse of his own conscience ; and that its motives would appear if his hat were found, in which he had placed a paper which stated them, because he had thought it very probable he might perish in the attempt."

The hat, we know, was found ; and the paper, taken from the crown inside, ran thus : —

"That man is cowardly, base, and deserveth not the name of a gentleman or soldier that is not willing to sacrifice his life for the honour of his God, his King, and his country.

"Let no man commend me for doing of it, but rather discommend themselves as the cause of it ; for if God had not taken away our hearts for our sins, he would not have gone so long unpunished.

"JO. FELTON."\*

The King, at the time of the assassination, was staying at Sir Dudley Norton's residence, in the village of Southwick, about four miles from Portsmouth, and

\* It is a curious fact, that no writer contemporary with the murder gave a correct copy of this document. It came into the possession of the late Mr. Upcott, and was first published either by Dr. Lingard, or Mr. Brayley, in the "Graphic Illustrator," p. 241, about twelve years since.



the painful intelligence was immediately conveyed thither. Charles was on his knees at the morning prayers ; but Sir John Hipposly, regardful of nothing but his appalling message, entered the room and whispered it to the King. His Majesty continued unmoved, and without the least change in his countenance, until prayers were ended, when he abruptly hastened away to his chamber, and throwing himself upon the bed, gave relief to his feelings by an outburst of tears.\* There is no reason for doubting that Charles loved his life's companion and friend ; and Clarendon records that those who so mistaking the King's public calmness, thought it indicated "that the accident was not very ungrateful," and therefore ventured to disparage the memory of the dead, found to their loss that "the King admitted very few into any degree of trust, who had ever discovered themselves to be the Duke's enemies." Neither was the King willing to temper justice with mercy, in punishing his murderer ; for he wished Felton to be tortured ; and when this was adjudged unlawful, was urgent to have his hand cut off previously to his being hanged. This misconception of the objects to be aimed at in all punishments was not allowed by the judges to prevail.

Though without confederates, Felton was not without public sympathy. The Puritan patriots esteemed him as a Brutus ; and one old woman spoke the common feeling, when, alluding to Buckingham as a slain Goliath, she invoked a blessing upon Felton as "the little David." This heated and mistaken sympathy was not quite restricted to the uneducated ; for a bachelor of

\* Clarendon's Hist. I. 25.

divinity, and son of Dr. Gill, head master of St. Paul's School, was fined 2000*l.*, and degraded from his ministry and university degree for having drank to the health of Felton, and uttered a regret that himself had not the honour of the deed.

Felton maintained before the Privy Council the same fearless bearing as when he was at first secured. He was again urged to confess who were his fellow-conspirators, and especially whether the Puritan party had suggested the assassination, but his reply was, as before, that no one was cognisant even of his purpose. Dr. Laud, then Bishop of London, intimated that the rack might be employed to obtain a confession; but Felton, with unshaken fortitude and great acumen, replied, that if it must be so, he could not foretell whom he might implicate in the extremity of his agony, "and if what I shall say then must go for truth, I cannot foretell whether you, my lord, or which of your lordships I may name."\*

The Council then deliberated whether the laws of England permitted the employment of torture, and the King being present, stated that if they did, he would not use his prerogative to prevent its application. The question was referred to the judges, and their unanimous reply was—"No such punishment is known or allowed by our laws;" and it is now only matter for wonder that any legislators could admit, for the discovery of truth, a practice reducible to no other problem than this: "The force of the muscles and the sensibility of the nerves of an innocent person being given, it

\* Rushworth, I. 650. A private letter states, this colloquy at the Council-table was between Felton and the Earl of Dorset.

is required to find the degree of pain necessary to make him confess either himself or others guilty of a crime of which he is totally ignorant.”\*

Felton, when arraigned, at once pleaded guilty ; and holding forth his right hand, requested that that member, as the instrument of the crime, might be first severed from his body. The King sent specially to the judges to inform them, that he wished that additional suffering to be inflicted ; but the court rejected the cruel suggestion, replying that the laws defined the penalty to be inflicted, and for all murders the punishment was the same.†

\* Rushworth, I. 650. Beccaria on Crimes, c. XVI.

† Ibid. I. 652. Felton was hanged at Tyburn, and afterwards suspended in chains at Portsmouth. He died repentant, and acknowledging that the deed for which he suffered was repugnant to the will of God ; but as steadfastly denying that it was suggested by any selfish motive. When he struck the blow he thought he was rescuing his country, and pleaded mentally for his victim.

## CHAPTER V.

Successors of Buckingham—Sir T. Wentworth—The Marquis of Hamilton and Dr. Laud—Character of Laud—Prorogation of Parliament—Letters from Ferdinando Fairfax to his Father, Lord Fairfax, at Denton—Letters from Thomas Fairfax, afterwards Parliamentary General, to Lord Fairfax his Grandfather—Letters to the same from Lord Fauconberge and Mulgrave—Letter from Lord Fairfax to the Lord President—Letter from H. Goodricke to Lord Fairfax—Parliament assembles—The Commons continue the same politic course as before—Subsidies of Tonnage and Poundage—The Merchants of England—Richard Chambers fined and imprisoned—Illegal Seizure of Merchandise—The King summones both Houses to Whitehall—His Conciliatory Address—Errors of the Parliament—Care for the Protestant Church—Progress of Popery—Jesuits' College established—Chief Justice Richardson—Spread of Arminianism—Theological Literature censured—Drs. Laud and Neale—Cromwell's first appearance in Parliament—Lord Treasurer Weston attacked—Speaker refuses to put the Question—Retained in the Chair by Mr. Hollis and others—Declaration of the House—Parliament dissolved.

As the people “looked upon the Duke as the only hindrance to the kingdom's happiness,” it is no subject for wonder “that men did much, therefore, rejoice at his death.”\* The popular joy was but brief, for much were they surprised, and ultimately roused to a more direct struggle with the Crown, when they saw “that, though the ship was lightened of Jonas, the storm increased.”† Buckingham was but a minister, a ready minister, in counselling and carrying out those principles of monarchical absolutism, in which Charles

\* May's History of the Parliament, 13.

† Hackett's Lord Keeper Williams, II. 81.



had been nurtured, and which he cherished as his birth-right, to be clung to and handed down intact to his successors. Authorities are abundant which show, that whilst Buckingham lived, but was absent from the Court for any long period, the King himself so suggested the levying of imposts and other modes of raising finances without the consent of Parliament, as would, if known, have much weakened the public hope that despotism would relax its grasp when Buckingham expired. Let one instance suffice. "Steenie" had been long absent in the Isle of Rhé, when the King in a private letter thus wrote to him : " I have set three main projects on foot, besides many small : the Mint, increasing of the customs, by imposing on the book of rates, and raising of a bank. The two first I shall certainly go speedily through withal ; the last is most difficult, but I have good hopes of it. So, going to bed, and wishing thee as much happiness and good success as thy own heart can desire, I rest, your loving, &c.

C. R."

*" Windsor, the 13th of August, 1627."*

Buckingham, we repeat, was but a minister, and many were on tip-toe when he fell, to catch the monarch's eye, and ready to obey his first beckon to supply the vacancy. Instead of one Prime Minister, Charles now resolved to avail himself of the services of three. To Wentworth, as already noticed, was assigned the Dictatorship of Ireland ; the Marquis of Hamilton was at the helm in Scotland ; and Dr. Laud was prime adviser at the English Council-board.

" — tenuitque inhians tria Cerberus ora."

If our attention were confined to an examination of the qualities possessed by Laud, which fitted him for the office of chief minister of the Crown, there need be but a brief delay before we passed on to other topics ; for we know of no others, except probity and an absence of avarice. Narrow in every mental acquirement ; uncompromising, unyielding ; hasty in temper, and yet permanent in his hatreds ; a credulous dreamer of dreams, who “ weighed a thing so light in the balance of observation, and needed no other astrology to deceive him but his own superstition ; ” \* a bigoted formalist ; and though “ a zealot in his heart, both against Popery and Presbytery, yet a great assertor of Church authority,” † the very arch-Puseyite of his era, who, in keeping us clear from the conventicle, preferred our going a little nearer to Rome ; no man was more unfitted for the high station to which he was now promoted. He was indeed “ the accident of an accident,” for he was first raised to ecclesiastical honours and confidence by the Duke of Buckingham, to counterpoise the puritanical tendencies of Williams and Abbot, by his high-church tenets and deep-read divinity ; and as Buckingham whilst living thus raised him, so by his death he elevated him still higher. ‡ Wentworth alone coincided equally sufficiently

\* Hackett's Lord Keeper Williams, II. 86.

† Sir P. Warwick's Memoirs, 79. Clarendon, Heylin, Wood, and other contemporary authorities, have all been consulted for the purpose of ascertaining Laud's character. But the data most relied upon have been his public acts.

‡ Laud, in that very unique autobiography, his “ Diary,” relates that it was in the May of 1622 that Buckingham “ was pleased to enter upon a near respect to him, the particulars of which were not for paper,” and, under the date of the following June 15th, he states that he became “ C ” to the Duke. As Bishop he could not be his “ Chaplain,” nor is it likely that “ Confessor ” is intended ; yet why use a mere initial for an inoffensive office ? He was then

with the high prerogative creed of Charles, and Wentworth, for the reasons already noticed, found some position at a greater distance from Westminster than Whitehall, more agreeable for the exercise of courtly activity. Laud, therefore, succeeded to the chieftainship of the cabinet without a competitor, and like a chieftain did he wield its authority. There is no reason for believing that he erred against the sounder dictates of his conscience, but he wielded his power as if he could not be wrong, and never for an instant allowed that liberty of conscience and opinion to others, which, without limit, he claimed for himself. This was a spirit of conscious infallibility totally unsuited to that age which gave birth to a prevailing class of men of whom Selden, Pym, Hampden, Cromwell, and Eliot, may be taken as the representatives, and who chose for their war-text "Liberty in all things."

Even King James saw the intractable nature of Laud very early in his career, and availed himself of more than one opportunity to warn Buckingham and Charles that he was unsuited for a statesman. "Son," said the King on one occasion, "he has a restless hede, and if ye let him e'er rise higher, he'll nere ha' done, till he has lost his own hede and endangered yours;"\* a foresight that after-events raised to the dignity of a prophecy.

Bishop of St. David's. In 1627 he was made a Privy Councillor; the next year Bishop of London; in 1630 Chancellor of Oxford, and in 1633 Archbishop of Canterbury.

\* Burnet's Memorial to Princess Sophia, 55. See also Hackett, I. 64, where James long argued against the promotion of Laud, because, as he said, "I find he hath a restless spirit, and cannot see when matters are well." Lord Keeper Williams then befriended him, yet Laud ungratefully aided in degrading this his early patron.

Parliament, which was to have met on the 20th of October, was prorogued further until the same day of January, 1629, and it then was permitted to assemble. Not that Charles loved this gathering together of the representatives of the people for the advice they tendered, but because money was scarce with him, and he knew not how to fill his coffers without their aid, and there was ground for hope, that now Buckingham was removed, the sternness of opposition might be mitigated. These are no mere imaginary conclusions, for they are confessed in the expressions of bitter disappointment contained in the King's "Declaration of the Causes which moved him to dissolve the Parliament."—The subsidies granted are there declared to have been "scanty," "infinitely short of the occasions," and less than was yielded by former subsidies. The substitute for them sought in the levy of Tonnage and Poundage, which had not been granted by Parliament, was on that ground resisted by the merchants—by few "at first," but by many at last; "fomented by those evil spirits," who led the opposition in the House of Commons. "Whilst the Duke of Buckingham lived, he was charged with all the distempers and ill events of former Parliaments; but now he is dead, no alteration appeared among those envenomed spirits, which troubled, then, the blessed harmony between us and our subjects, and continue still to trouble it." \*

Such are the words of the royal "Declaration." Some of the acts of those "envenomed spirits," thus vituperated, are noticed in the following letters:—



TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT HIS HOUSE, DENTON, THESE.

MAY IT PLEASE YOUR LORDSHIP,

My late coming, and few days I have had in the Parliament, make me a stranger yet to what has been done, or is intended; but I find his Majesty's earnestness to have the bill of Tonnage and Poundage pass, he much suffering in the mean time for its want; and on the other side that the House (conceiving the danger by the growth of Arminianism and countenancing of the professors, to an insensible subversion of the religion now established) intend to prefer that before the other, which doth not a little displease, and portends a long work, or short and abrupt conclusion. I was in hope the mists that formerly hindered our light were cleared, but I fear the times may prove more clouded. Mr. Montague, now Bishop of Chichester, Doctor Mainwaring, Doctor Sibthorpe, and Mr. Cosens, who have disquieted the peace of the Church, the first by his books, the two second by their sermons, and the last by his daily practice, have all of them got their pardon under the great seal, drawn in that ample manner as themselves or learned counsel could devise, for so were the express words of the warrant to the Attorney General. This hindrance of their questioning, and encouragement (as may seem) to divines to walk those steps to preferment, has occasioned the House to declare some explanations of the Thirty-nine Articles, formerly confirmed in Parliament, especially of the seventeenth, which is most

\* Rushworth, I. Append. 9.

against Arminius, and yet so understood by many of these divines, as not to be any way repugnant to their tenets; the Articles themselves I send herewith. This work in discussing and explaining these high points displeaseth the Convocation, to whom it chiefly belongs, but that body consisting of Bishops, and such as are chosen by them, promiseth small help in this strait we now are; how we shall get off, God knows. This is now the great business, and indeed the greatest that can concern this kingdom. How it shall work I shall be bold to make you acquainted, though the slow motions of it will not perhaps afford matter for these weekly messengers. The Court has been in mourning for the King of Bohemia's eldest son; my Lord Chamberlain continues his for the loss of his lady on Sunday night last, and my Lord Steward bears that loss with an equal sorrow; the night after died my old Lady Scroope, and it is feared my lord her son cannot long continue.\* My Cousin Will was with me yesterday, but speaks nothing of his business, nor I to him. I perceive he bears himself now much by his great kinsman, my Lord Viscount Fairfax, who had his patent delivered yesterday, but of what place in Ireland I know not. His friends say he paid but 900*l.*, but it is most certain it cost him at least 1300*l.*† I could not yet attend my

\* Philip Herbert, Earl of Pembroke, was Lord Chamberlain. His deceased wife was a daughter of Edward Vere, Earl of Oxford. "The Lord Steward" was James Stuart, Earl of Richmond. The "old Lady Scroope" was Philadelphia, daughter of Lord Hunsdon. Her son, created Earl of Sunderland, who had been turned out of the Presidency of the North to make way for Wentworth, did not long survive.

† This was Sir Thomas Fairfax of Walton. The Irish title purchased by him was that of Viscount Emly, and it was the precedence thus given over English Barons to these purchasers of peerages that was petitioned against by

Lord Archbishop, for want of some friend known to him who may accompany me: this afternoon I purpose to see him and by the next write his commands. The King's going into Scotland is yet uncertain, though the Parliament there is like to begin in the next month. It is thought there will be no writs sent to those in England, if any be. Your letter to my Lord Chamberlain to move the King, may easily excuse. With the remembrance of my humble duty and best services,

I remain,

Your lordship's humble and obedient son,

FER. FAIRFAX.

*From the Pied Bull in the Strand,  
this 5th of February, 1628. (1629, N.S.).*

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER THE  
LORD FAIRFAX, AT HIS HOUSE, DENTON, THESE.

MAY IT PLEASE YOUR LORDSHIP,

BUT that I resolved not to suffer these weekly messengers to pass without some lines, I had forborne until more business had ministered matter of writing, but pursuing my first intentions I may rather sometimes give you testimony of my desires to serve you in this kind, than any satisfaction of what you expect. The Sheriff of London, Mr. Acton, for not executing the replevin of the merchants' goods, and especially for his slight answering the committee appointed for examining it, was committed to the Tower, but, upon his sorrow

the House of Peers. He married a daughter of Sir Henry Constable, and died in 1636, leaving six sons and five daughters.

and submission, yesterday released. We endeavour to possess the merchants with their goods, which have been violently taken from them before the bill of Tonnage and Poundage receive any reading, but we fear some rubs which may make this Parliament very long, unless it end in such disturbance.

The Lords have had very little to do, and in this their time of ease have fallen very foul upon the foreign honours. They sent to the Signet Office, and there started my cousin's patent,\* ready to pass. After they had perused and considered it, they appointed a committee to frame a declaration of their rights, which they instantly voted, and by a petition to his Majesty, seek his confirmation. The noblemen of those nations thought themselves somewhat injured, whereupon they qualified their petition, allowing the natives their right and excluding others, which made them join in the desires. He is much offended that his patent (which I was informed passed the seal two days before, and so wrote in my last) should be the subject of their discourse and humours, and would gladly now go back, but he is engaged for the money and will get no abatement. My Lord Fauconberg was the man that gave him both the wound and the plaister: he occasioned the search and then excused himself in commending his estate and family, wherein he has done himself small honour, and occasioned an injury which may justly work an ill-affection hereafter. The copy of the vote I have sent here inclosed, the petition I cannot yet get.† The King cannot in honour grant

\* As Lord Viscount Fairfax. See previous Letter.

† "We conceive that no foreign Nobleman hath any right of precedence within the realm of England before any Peer of this kingdom; yet notwith-



it ; if he do, the Barons will not only take place of these Viscounts, but their sons also are resolved to do it, which must needs work much mischief and inconvenience.

The Lords' house is also troubled with the Lords Percy, Clifford, Abergavenny, and Strange, each pretending to be the first Baron. Percy hath been already heard with his counsel, who have proved his barony from the twentieth year of the Conqueror, by good records. Clifford is to be heard on Monday next : the chief contention is betwixt them two, for the two last will yield to the first but not to the other. My Lord Grace of York (Dr. Harsnet) is in the chair for this business, as also for the other. I delivered him your letter, which he took kindly, and willed me to return his thanks for your former care which he understood in calling keepers and bailiffs to account for deer and wood ; he desires the continuance of it, and promised at better leisure to return his thanks himself ; he desires to know any

standing, of courtesy, precedence hath been allowed to noblemen of foreign kingdoms according to their ranks, which is nowise our intention to alter ; but in regard that of late many Englishmen, both by birth, estate, and abode (the more considerable because of the great number), have had feudal honours in the kingdom of Scotland and Ireland, conceived to be prejudicial to the Peers : that which the Committee do in humility offer unto the House, is to consider what way and course is fittest to be taken for addressing ourselves unto his Majesty, for the remedy and redressing of this inconvenience."

The petition may be consulted in Cobbett's Parliamentary History, II. 438, and contains some valid reasons against the practice deprecated. It states that Peers having no estates in Ireland, ought not to have a seat in its Parliament ; that by bearing such "foreign titles," Englishmen ought not to benefit by the immunities incident to the peerage ; that they do not contribute to Irish imposts, "though they draw to the royal treasury creation money ;" and that by such vending, the honour "formerly esteemed above all other rewards," was lessened.

offenders in that kind, and protests an earnest prosecution. It is rumoured here that the King of France hath taken Orange, by the treachery of the Governor : a strong refuge for the Protestants in those parts. Here is yet no apparent likelihood of peace with France nor Spain. My Lord of Clare adviseth to send my son to my Lord Vere's company, at Dort ; he saith he may there practise arms, fencing, dancing, and study the mathematics ; and my Lord Houghton promiseth his best care over him whilst he is there. He goes over about six weeks hence, and all the companies have order to be ready the 1st of April. I could not resolve anything herein until I knew your lordship's pleasure, and therefore what you shall be pleased to command, I shall carefully observe to my best understanding of your directions ; and with my prayers for your happiness, will ever remain,

Your lordship's humble and obedient son,

FER. FAIRFAX.

*From Watson's, a Tailor's house, in Woolstable,  
this 13th of February, 1628.*

The son of Sir Ferdinando mentioned by him in the last letter, as about to be placed as a volunteer under the command of Lord Vere, was subsequently the celebrated Sir Thomas Fairfax. The proposal thus to initiate him in military practice was speedily adopted, and the following letter from him to his grandfather is the earliest known specimen of the penmanship of the embryo general of the Parliament. It is dated from Lord Vere's camp :—

TO THE RIGHT HONOURABLE HIS VERY LOVING GRAND-  
FATHER, THE LORD FAIRFAX, AT HIS HOUSE IN DENTON  
IN YORKSHIRE, THESE.

SIR,

HAVING but little time to write, by reason of our going into the field so soon, I could not write so often as your lordship looks I should do; but it shall be my care not to let pass any opportunity wherein I may show my duty. Sir, we are now before Busse, a town of great strength; all the one side of it is marsh ground, which makes it very strong. We have entrenched ourselves with a running trench round about the town, the Prince on the one side, and Graave Ernest on the other, and have raised seven batteries; there are three schooners belonging to the town, which we must take before we do any good; and we are making mills to draw the water before we can approach the town. They made many shots with their cannon at our first approach, but afterwards we had no shot for four or five days. There came some cannoneers out of the town, and said that their governor had sent their munition to Breda, thinking that we should have gone thither, and they have great want of corn, so that we think we shall not be long about it. We hear that Van Gravendunke, the governor of the town, hath poisoned himself, because that he thought he should not hold out any longer. Count Henericke of the Barke has drawn his forces together; it is thought he will besiege the Graave. We look for the King and Queen of Bohemia this leaguer. Thus with my humble duty I rest,

Your lordship's obedient grandchild,

T. FAIRFAX.

*Busse, May 12th, 1629.*

The stay of Thomas Fairfax with the troops under Lord Vere, was of no long duration. Their campaigns were either unattended by honour, or they were employed on still more inactive and inglorious garrison duties, which were not at all in unison with his spirit. His return, however, to England was in no way pleasing to his grandfather, and the following letters are evidence that the displeasure was not readily assuaged, it being not improbable that the old gentleman feared his grandson would prove a soldier of no greater repute than his father, Sir Ferdinando. Lord Fairfax, the grandfather, once finding Dr. Matthew, the Archbishop of York, very melancholy, inquired the reason of his Grace's pensiveness. "My Lord," replied the metropolitan, "I have great reason of sorrow with respect to my sons; one having wit, and no grace; another, grace but no wit; and the third, neither wit nor grace to direct him aright." "May it please your Grace," rejoined Lord Fairfax, "your case is sad, but not singular. I am also grievously disappointed in my sons. One (Ferdinando) I sent into the Netherlands, to train him up a soldier, and he makes a tolerable country justice, but is a mere coward at fighting. My next (Henry) I sent to Cambridge, and he proves a good lawyer, but a mere dunce at divinity; and my youngest I sent to the Inns of Court, and he is a good divine, but nobody at the law." "Tom! Tom!" the old nobleman was heard to say to his grandson, "mind thou the battle; thy father is a good man, but a mere coward; all the good I expect is from thee!"\*

\* Birch MSS. 4460, p. 147.



TO THE RIGHT HONOURABLE HIS VERY LOVING GRAND-FATHER, THE LORD FAIRFAX, AT DENTON IN YORKSHIRE, PRESENT.

MY LORD,

LET it not seem strange to your lordship, my sudden arrival in England. The reason which did induce me to it was my earnest desire to see the army of Sweden. Yet obedience first taught me to gain your lordship's willingness to it, which, if you please to grant me, as I earnestly beg it, I shall think myself happy ; otherwise, if you will dispose of me, I am ready to fulfil your lordship's commands. Many letters have I written unto you, to gain your good will, but as yet received no answer. To live in a country only to know an outward fashion, I am assured is no ways pleasing to you, nor contentment to me ; for whilst I lived in France, I only learned the language, and knew war only by an uncertain relation. Since my coming into England, I have received so much encouragement of my friends, and more especially of my noble lord, Vere, which inanimated me much to so worthy an action.

To give your lordship account of things past in France, I am sure my observations would be stale ; and since my arrival in England I have known nothing worthy your lordship's knowledge ; only the death of my Lord Carleton, Secretary of State, and, as yet, none chosen in his place, but it is thought Sir Francis Cottinton shall be.\* The King and Queen are gone to Newmarket, where they intend to stay this lent. Now, finally, there can be nothing more joyful to me than to receive

\* Dudley, Lord Carlton and Viscount Dorchester died February 15th, 1631-2.

your lordship's resolutions and certainty of your health,  
for the which be assured to have the prayers of

Your obedient grandchild,

THO. FAIRFAX.

*London, Feb. 22, 1632.*

TO THE RIGHT HONOURABLE HIS VERY LOVING UNCLE, THE  
LORD FAIRFAX, AT DENTON. THESE PRESENT.

MY LORD,

FIRST, I must excuse my not writing this long time, which is no neglect of the respect and service that I owe your lordship; but a stay till I could tell what would become of my troubles, which, as they have gathered, like a snowball, from nothing, so now I hope shortly they will be dissolved again to nothing, without any loss of honour to me at all. In the second place, give me leave to interpose my opinion concerning my cousin, your grandchild, whose sweet condition begets him love of all that know him, and whose well-tempered spirit is inferior to none of his age and quality, so that it were great pity this condition should be altered with discontent, or this spirit dejected with want, since there is no doubt of him for wasting, after he come to more years, it being nothing that he hath exceeded his allowance as the times are now. This much I write because I think he is oppressed with melancholy, which may do him hurt, if it be not purged by heart's ease and liberty.

But I crave pardon for this boldness, which proceeds forth of my love only, well knowing your better judgment

how to dispose of him, which God grant may ever be to his glory and your comfort.—And so I take leave, this 3rd April, 1632.

Your lordship's servant,

FAUCONBERGE.\*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, D.D.

MY LORD,

BEING now through distance of our abode, with the age and infirmity growing upon us, deprived of that content which mutually we have enjoyed in the company of one another ; I shall be glad to lay hold of any opportunity that may continue the remembrance thereof, so long as we live ; but especially when such a messenger as this relating so near unto us both shall be the means of sending unto you : in whom I may tell your lordship I do very much rejoice, and do desire withall (least your lordship and his father may think much at his not presenting his personal duty unto you since his last coming over) to intimate to you both the reasons that moved him to abide in these parts, which were, as he both told me, and I well observed, only the natural *propension* and desire he had to employ some further time in those famous actions now abroad with the King of Sweden. Doubting least his coming into the north might stay him from that course, he rather made choice to sue unto your lordship and his

\* Sir Thomas Bellasis, of Newborough, Yorkshire, had been created Baron Fauconberg of Yarum in that county, in 1627. His mother was Ursula Fairfax, sister of the nobleman to whom this letter is addressed. His grandson married a daughter of Oliver Cromwell.

father by his letters, to gain your leaves and allowance thereunto, than by journeying into the country to hazard his return, which he thought being there, would not easily be gained. These I know to be the reasons why he attended you not sooner; which are in my conceit so far from arguing him faulty, or in the least measure negligent of his duty, that I presume your lordship will, with me, conceive him more worthy (for this purpose and inclination) of both our best affections, for I am persuaded if either of us were as he, our desires would be the same; and I approve it in him with much commendation.

Let me further acquaint your lordship, that the time he hath been here, mine eyes have been upon him, and his carriage hath given me such good satisfaction, as I am confident (God blessing him) he will be a comfort to us both, and a joy to his friends who shall longer enjoy him; which that he may be, I request your lordship, not only yourself to countenance and encourage him, but also to join with me in praying to God to continue his graces towards him, and perfect his blessings already begun; with which I will conclude and rest

Your lordship's most affectionate friend to command,

MULGRAVE.\*

*Hammersmith, April 9th, 1632.*

\* This sterling specimen of England's aristocracy in Elizabeth's reign was connected with the Fairfax family by his daughter, Lady Mary Sheffield, who married Sir Ferdinando Fairfax. He had been knighted by the Admiral, for his gallantry in action against the Spanish Armada, and the Queen made him Governor of Brill and a Knight of the Garter. In the reign of James he was Lord President of the North, and in 1625 Charles raised him to the peerage as Earl Mulgrave. He died in 1646, aged fourscore years.



The desire which the young hero of the family had expressed to join the army of Sweden, then actively engaged under its romantically brave general, Gustavus Horn, against the Kings of Hungary and Spain, was not allowed to prevail. His father and grandfather saw the gathering storm which so shortly after burst upon and devastated England. Even some time previously, as appears by the following letter from Lord Fairfax, as a Deputy Lieutenant, to the Lord President of the North, Wentworth, a more than ordinary examination had been made into the military state of the kingdom, and at that time no thought of active opposition to the King was in the contemplation of the Fairfax family. To what Wentworth was looking forward when he directed the inquiry may be more doubtful.

TO MY LORD PRESIDENT, 1628.

RIGHT HONOURABLE,

ACCORDING to your lordship's directions to us, your deputy lieutenants, we have taken an exact view of all the armed forces of the county, and do find those six thousand of the common charge (which are called the trained bands) complete in numbers and arms reasonably sufficient, so as we may account them serviceable, being disciplined. The other six thousand of the Private not so full, neither can we make them so by our best endeavours, because those freeholders (in regard of the poverty of others) must necessarily contribute to the charges of the common, as well as to their own, so as we are inforced to assign in some places (where men be very poor) two to furnish one

arms, in other three ; yet doth not this suffice, for men do die daily leaving their estates to their widows and children divided, or consume their means by one occasion or other, and so the work is ever in doing, but never done. Yet have we, notwithstanding the complaints of many, and the grief of our own hearts (knowing under what burden they do groan) charged men for furnishing of the defaults of the Private, but without hopes that ever many of them will be serviceable; and yet, since your honour's coming to your lieutenancy, we can truly affirm that the numbers both of men and good arms do much exceed those of any former times.\*

May it please your honour to take into consideration that the necessary charges of training all the forces wherewith this county is now charged, doth amount unto more than ten thousand pounds per annum. How we do, and shall undergo this, your lordship can imagine ; and yet in this account there is not anything for officers' entertainments ; your lordship knows that this great army, without skilful men to order, it is but an unuseful bulk. Would his Majesty be pleased to proportion us for numbers of arms as the other counties of this kingdom, we would cheerfully undergo the burden, and give entertainments to such to exercise our men as are skilful in the art military, so should his Highness have a better army, your lordship command a better, or we more fortified, or less charged.

FAIRFAX.

\* The Trained Bands, like the more modern Militia, were armed and accoutred at the public expense. "Those of the Private" were more resembling our yeomanry, one person, or two persons between them, finding a soldier and his accoutrements.

Wentworth was not contented with the report of others, but proceeded to make the inspection which he promised, though delayed, as mentioned in the following letter from Sir Henry Goodrich :

TO THE RIGHT HONOURABLE MY VERY GOOD LORD THE  
LORD FAIRFAX, AT DENTON. THESE.

I HAVE received your lordship's letter this instant 9 of June, and rest with your lordship in suspense what to do in this case ; for I have heard nothing since my Lord Lieutenant's letter of the 25th of March last, touching this business, wherein his lordship intimates his purpose to take the view himself, so that (in my opinion) it is probable he would have signified his pleasure to us, if he would not have observed the time himself. What course is taken in other counties I do not hear ; but if there be any countermand given, I desire to know in what kind, whether it be to stay their appearance at York only, (which was the intent and tenure of the first summons, to my remembrance), or to stay their appearance there, and take the view within the counties severally ; for that might give some light what might be expected here. I never saw the former letter of the 30th of January, which my lord mentions, so that by the contents thereof a man might guess whether his lordship expects this service to be done by his deputies or no ; but because the summons was (as I heard) for divers other shires to appear at York, and that there was an expectation of some other person to come down with power to take the view, I much doubt whether it may belong to any his deputy lieutenants to do or no.

I dare not advise what to do in this case ; only I resolve to send my men and horses as well furnished as I can, to be there attendant. And thus, with the remembrance of my love and service to your lordship, I rest

Your lordship's to be disposed,

HEN. GOODRICKE.\*

*Ribston, 9th of June, 1628.*

These letters recal us to the period from which we have somewhat diverged—the re-assembly of the Parliament, in the January of 1629. On the 20th of that month they met, and were too wise and wary not to continue the same politic course, by which alone they had won the Petition of Right in the preceding session. The King and his advisers knew full well, that they had set the law at defiance, and had been levying Tonnage and Poundage not only without its sanction, but despite its prohibition. Now that the “envenomed spirits,” as the King termed the leaders of the House of Commons, were gathered together, and the dread of their stings was upon him, he summoned together his Privy Council, to prepare for coming mortifications. Instead of the statesmanlike detail of measures for the public good, taken in accordance with the law, the Executive (exposed to public obloquy) was exhibited in the unbecoming position of quibbling, excusing, and pleading for an act

\* Henry Goodricke, son of Sir John Goodricke, succeeded to the baronetcy, and became one of Charles the Second's Ministers. He was a Privy Councillor, Lieutenant General of the Ordnance, and Envoy Extraordinary to the Court of Spain. He died at a very advanced age in 1705. His father suffered much in the Royalist cause during the Civil War, but eventually escaped from the Tower into France. By his second marriage to the Dowager Viscountess Fairfax, the two families became connected.



of oblivion for outrages committed against the liberty of the subject.

That the King knew that he had been acting unconstitutionally was confessed by his directing an Act granting him Tonnage and Poundage to be prepared and so worded as to relate to the whole previous period of his reign, and by his instructing such of his Privy Council as were members of the Commons to assure the House, if the disagreeable admission were necessary, that "his Majesty will do any reasonable thing to declare that he claims not Tonnage and Poundage otherwise than by grant of Parliament."\*

The Act, worded so as to have retrospective operation from the day of the King's accession, would afford by implication, pardon for past outrage; and to induce the House to assent to its enactment, it was to be urged that Tonnage and Poundage had been taken only *de bene esse*, the King being assured that the Parliament would grant that source of revenue to him as they had done to his predecessors.

This strange justification could no more mollify reformers who found, in the withholding of supplies, the most effective engine to enforce redress, than a child could be saved from punishment, by the plea that he took what he desired because he thought it would be given. It was in vain to urge such excuses upon the Commons. They had refused to grant this source of revenue for more than one year; and the King had assented to the Petition of Right, which expressed, in terms not to be mistaken, that he should levy no tax without the previous assent of Parliament. The Commons were fully justified, then, in passing, even in the very hour of

\* Rushworth, I. 654.

their dissolution, those unflinching and memorable resolutions :

“ WHOSOEVER shall council or advise the taking and levying of the subsidies of Tonnage and Poundage, not being granted by Parliament, or shall be an actor or instrument therein, shall be reputed an innovator in the government, and a capital enemy to this kingdom and commonwealth. And if any merchant or other person whatsoever shall voluntarily yield or pay the said subsidies, not being granted by Parliament, he shall likewise be reputed a betrayer of the liberties of England and an enemy of the same.”\*

Nobly did the merchants of England respond to this appeal for their support to the constitution.† Richard Chambers, “ the City of London Merchant,” an emphatic designation earned by his wealth, fearlessness and integrity, may serve as an example of the determined opposition made by the commercial community to those unparliamentary imposts. He was summoned, with some others, to the Council-board, then sitting at Hampton Court, and stood forth there to justify his refusal. He complained that his merchandise had been seized, and all opportunity denied him of disputing the legality of the levy, and that this and the insolencies of the inferior officers was such, that “merchants in no part of the world were so screwed and wrung as in England ;—even in Turkey they had more encouragement.” For this daring, (construed into an attempt “to set discord between his Majesty and his good people,)”

\* Rushworth, I. 670.

† More than five hundred merchants refused to pay this unparliamentary impost.—*Parl. Hist.* II. 467.

though uttered in argument before the Council, the bold merchant was committed to the Marshalsea; and being brought before the Court of Star Chamber he was fined 2000*l.* for “intending to make the people believe that the King’s happy government may be termed Turkish tyranny;”\* and the lesson taught by this fact is not without point, that though many of the judges of the court were for imposing a fine of only one-fourth the amount inflicted, Dr. Laud and Dr. Neal, the Bishops of London and Winchester, were among those who were least inclined to leniency and mercy—they voted for a fine of 3000*l.*† But this punishment so totally in excess of the act committed, for it was no offence, did not satisfy that black tribunal, and they called upon him also to sign an acknowledgment of it, and a confession of sorrow that what he had said was “insolent, contemptuous, seditious, false, and malicious.” Chambers took the pen, and wrote beneath the proffered confession these words,—“All the above contents and submissions, I, Richard Chambers, do utterly abhor and detest, as most unjust and false, and never, to death, will acknowledge any part thereof;” adding, among other quotations from Scripture this denunciation by the prophet.—“Woe to them that devise iniquity, because it is in the power of their hand: and they covet fields, and take them by violence; and houses, and take them away; so they oppress a man and his house, even a man and his heritage.”‡ A quotation fully justified

\* Rushworth, I. 681.

† Ibid. I. 682. Laud, with the appropriate narrow wit of a punster, when aggravating the case to the King, observed, “If your Majesty had many such Chambers, you would soon have no chamber to rest in.”—*History of the Times and Troubles of Laud*.

‡ Micah, II. 1, 2; Rushworth, 683.

by the suffering and ruin visited upon himself, for throughout six years he was imprisoned in the Fleet, for nine months he was similarly incarcerated in Newgate for resisting the payment of Ship-money, and more than 7000*l.* worth of his merchandise was seized.\*

The illegal enforcement of Tonnage and Poundage was brought most prominently to the notice of the Commons, by being levied, during the recess, upon the goods of one of their own members. In his case, 5000*l.* worth of merchandise was seized, though the impost claimed was but 200*l.*; and the officer, when brought before the House, boldly acknowledged that when he made the seizure, he knew that their owner, Mr. Rolle, was "a Parliament man, and that he told him he did not find any Parliament-man exempted in the commission; and, if all the body of the Commons were in him, he would not deliver the goods."†

There had been no speech from the throne at the opening of the session, but the stern notice taken of this illegal seizure induced the King to summon both Houses before him at Whitehall; and there, in a conciliatory address, to explain "the necessity, not the right, by which he was to take Tonnage and Poundage, until they had granted it!" He then asked them to pass, without loss of time, the bill legalising the levy, and thus to close all questions arising upon the subject.‡ But the House, not so readily pacified, proceeded to

\* Rushworth, I. 687. This unyielding citizen, at length died infirm, and "of low estate," in 1658, aged seventy. The Parliament seems to have neglected his claims to recompense, until it was too late. He had served the city as alderman and sheriff in 1644, and had put himself at the head of a troop of horse in the service of the Parliament.

† Parl. Hist. II. 478.

‡ Ibid. 443.



search out for a mode of punishing the offenders. The legal acuteness of Noy detected that the commission of the custom-house officers gave them no power to seize the goods of the tonnage recusants, and the little minds of Sir Humphry May and Mr. Secretary Cooke caught with avidity at the suggestion, that the subordinates might be thus rendered the scapegoats.\* But baseness of that character was not among their master's faults; and he commanded them to announce to the House that "it concerned in a high degree his justice and honour that the truth be not concealed, that what those officers did was by his own, or the Council-board's direct orders and commands, himself being present, and therefore he would not have it divided from his act." This was nobly done, and must have commanded the respect it deserved even from his most uncompromising opponents; but that which had the bearing of magnanimity, assumed a far different aspect when coupled with another step of the revenue collectors, for the outrages upon Mr. Rolle and against his property were repeated, even while these debates as to the legality of the imposts were in agitation.

The House was astounded by the announcement by that gentleman, that since he had complained to the House his warehouse had been closed by a pursuivant and himself subpoenaed to appear in the Star-Chamber. It is true that both the Attorney-General and Sir Humphry May announced this to be a mistake; but even Mr. Selden, though he was more temperate than most men, declared his belief that it was no error, but

\* Parl. Hist. II. 481. Sir Humphry May was Chancellor of the Duchy, and Sir John Coke Secretary of State.

daringly done as an affront, and ventured upon because the House was lenient. In this last conclusion Selden was right, for it was a mistake only as to time. The warrant and the subpoena had been prepared, predetermined to be put in operation; the only error was in enforcing them at an unseasonable period.

The House of Commons committed some trespasses in their anxiety to prevent such an infringement of the liberty of the subject, and of their own supreme power over the public purse. They had no right to interfere with the proceedings in the Court of Exchequer; and they were quite wrong in asserting that exemption from seizure was a privilege, extending to the goods as well as to the persons of their members. But they were quite right in only insisting, with becoming dignity, that before they entered upon the consideration of granting Tonnage and Poundage, all seizures made by the Council's illegal warrants should be given up, and all proceedings upon them abandoned; for as Mr. Noy justly observed, "if the subsidies are the King's already, as by their new records they seem to be, we need not give them."

Care for the preservation of the Protestant Church, and determined enmity to every act calculated to encourage the Roman Catholic religion in these realms, was another prominent characteristic of this session. Some of the causes which roused this zeal to increased activity, were noticed in the letters of Sir Ferdinando Fairfax,<sup>†</sup> but there were many other sources of jealousy which they pressed, without reserve, upon the attention of Charles. They reminded him that in Scotland "the

\* Parl. Hist. II. 462.

† See page 155.

Popish party," (and Laud, we shall see, sided with this,) were "not a little disquieting that famous (Presbyterian) Church : " that Ireland was "almost wholly overspread with Popery, swarming with friars, priests, and Jesuits ; and that in Dublin, where not many years since there were few who refused to frequent a church, there were lately restored and erected for friars, jesuits, and idolatrous mass-priests, thirteen houses, being more in number than its parish churches : " that in England, though during Queen Elizabeth's reign there were in some counties no known Popish recusants, yet they now amounted to thousands ; and for this the causes were easily assignable, if the tolerated resort to mass even in the Queen's court, and the late erection of a Jesuit's College at Clerkenwell were regarded.\*

The Jesuits' college was first established at Edmon-ton ; lands for its endowment were purchased, its rules prepared, and its library and reliquary furnished ; thence it was removed to Camberwell, and finally to Clerkenwell. Being then brought to the King's notice, he referred it to his Privy Council, and the ten Jesuit professors were committed to Newgate : some were brought to trial and condemned, but all were pardoned. In this Charles was wiser than those who sought to sustain the Church by persecution, and none but a bigot will seek for any other justification of the King than this brief one by Mr. Secretary Cooke—" His Majesty being merciful

\* Sir Walter Earle said, "If we speak not now, we may for ever hold our peace, when, besides the Queen's mass, there are two other masses daily in her Court, so that it is now an undisguised inquiry and common in discourse, 'Have you been to mass at Somerset House?' Five hundred resort thither at a time."—*Parl. Hist.* II. 468 ; *Fairfax MSS.*

in a case of blood, gave directions for reprieving the condemned priests." \* Inquiries were made tending to implicate the judges, but the only member of the bench against whom even a suspicion was justified of having acted unfaithfully as an administrator of the law, was the Chief Justice of the Common Pleas, Sir Thomas Richardson, of whom a committee reported, (Selden being its chairman,) "that the evidence tendered, clearly proved the prisoners to be priests, but that the Chief Justice rejected it, contrary to the sense of the rest of the judges and justices present, whereby it is plain that he dealt underhand with some of the Jesuits.†"

The Commons further pressed upon the King the "pernicious spreading of the Arminian faction," which, as Sir Ferdinando Fairfax expressed the common opinion, tended "to an insensible subversion of the religion now established."

The conduct of the Government and of the clergy, encouraging Arminianism, and tending "to incline men to Popery," was strikingly similar to that which has roused the Church in the present century to enter its protest against Puseyism, and was thus held up to reprehension by the Commons—"Some are bold and unwarranted in introducing practices, and defending new ceremonies, without authority, in conformity to the Church of Rome ; erecting altars ; changing the usual

\* Parl. Hist. II. 474.

† Ibid. 475. The conclusion arrived at by the committee is not so "plain" to us as to them ; and, after looking at the replies of the judges, it is much more evident, that there was no legal proof of the prisoners being priests. So far from Sir T. Richardson's favouring papist practices, he made an order for the suppression of wakes and ale-meetings on Sunday ; "and Bishop Laud complaining of it to the King, the judge was checked."—*Whitelocke*, 16.



manner of placing the communion table, setting it at the upper end of the chancel ; adorning it with candlesticks ; also, making obeisance thereto ; and praying towards the East, &c.”

The theological literature of the day did not escape without just censure. Sir Ferdinando Fairfax named some of the authors, and a portion of their works has already been noticed. Dr. Montague had published his “Appeal to Cæsar”—“The Gagg,” and “On the Invocation of Saints,” yet he had been promoted to the Bishopric of Chichester. Dr. Roger Mainwaring was fined and censured by the House for “endeavouring to destroy the King and kingdom by his divinity ;” but by the instrumentality of Laud he was pardoned and promoted, ultimately obtaining the deanery of Worcester and the see of St. David’s :—“Though (with Sibthorpe) accounted a sycophant by the Puritans, yet by the Royalists he was esteemed worthy of the function of a bishop,” says Anthony Wood, without expressing an opinion as to which were correct in their estimate.\* Dr. Sibthorpe has already passed under our notice, and the Commons now again cited him as popishly inclined, as well as Dr. Cosins, whose “Horary” savoured of Rome, and whose innovations in the Church Service were matter of public accusation, but who was made, notwithstanding, Dean of Peterborough.† Some other ecclesiastics of minor importance were in like manner reprobated, but the chief attack was directed against Dr. Laud, whom

\* *Athenæ Oxonienses*, II. 1141.

† The works of Dr. Cosins, certainly, are not opposed to Romanism ; but he was so little acceptable to the Queen, that she wished to remove him from the chaplaincy he held in her household at Paris, where he officiated to its Protestant members.—*Clarendon's Hist.* III. 324.

the Commons charged home with having the ear of Charles in all ecclesiastical affairs, to the "discountenancing and hindering the preferment of those who were orthodox, and to the favour of such as are contrary."\* Against him the voice of the House rose loud and general. Sir James Perrot pointed out the bishop's chaplain, as one who had disputed in favour of the Arminian tenets; whilst others, and among them Mr. Kirton, and Sir John Eliot declared that "in this Laud was contracted all the danger they feared."†

Dr. Richard Neale, Bishop of Winchester, was another of the prelates most reprobated by the House, for his patronage of Popish doctrines; and there is evidence that he inclined that way more than any of his brethren of the episcopal bench. It was in advancing the charges against this bishop, that one who ruled the Stuart destinies first addressed the House of Commons; and we feel satisfied that we have a faithful portraiture of this great man, as he appeared when he first attracted public notice, in the following sketch by the pen of Sir Philip Warwick:—"I came one morning into the House, and perceived a gentleman speaking, whom I knew not, very ordinarily apparelled. It was a plain cloth suit, which seemed to have been made by an ill country tailor; his linen was plain, and not very clean, and I remember a speck or two of blood upon his little band, which was not much longer than his collar. His hat was without a hat-band; his sword stuck close to his side; his stature was of a good size; his countenance swollen and reddish; his voice sharp and untunable; and his eloquence full of fervour."

\* Parl. Hist. II. 486.

† Ibid. 460.

‡ Warwick's Memoirs, 247.

This man in "a plain cloth suit" was OLIVER CROMWELL; and he told the House of a Dr. Alabaster, who "had preached flat Popery at St. Paul's Cross, and that the Bishop of Winchester commanded him, as he was his diocesan, he should preach nothing to the contrary."\*

The great debate involving the condemnation of Dr. Laud, and the ecclesiastical administration of the country, occurred upon the 23rd of February, 1629, and it fixed the King in his resolution again to dissolve the Parliament. In his eyes, accustomed to view every proposed reform of the kingly government as an unwarrantable attempt at popular innovation, this series of detected misrule savoured of presumption and revolution. It had never been a part of Stuart education; that the dictum, "a king can do no wrong," was a mere legal fiction.

These renewed and apparently ever re-commencing searches after abuses—these delays and disregards of his repeated monitions to grant him Tonnage and Poundage—could be brooked no longer, so the King commanded the House to adjourn for a week. This was

\* Parl. Hist. II. 464. Cromwell was now representative of the town of Huntingdon. That he was careless of his costume is certain, because even Hampden, less of a carpet knight than Warwick, thus spoke of him in answer to a query from Lord Digby:—"That slovenly fellow before us, who hath no ornament in his speech—that sloven, if we should ever come to have a breach with the King (which God forbid)—that sloven, in such case, will be one of the greatest men of England."—*Bulstrode's Memoirs*, 193. There must have been in Cromwell an aspect, a soundness of judgment, and a firmness of purpose, unmistakeably indicative of a character commanding selection for a leadership in seasons of difficulty; otherwise, observers so opposite as Warwick, Hampden, and Lord Keeper Williams, would not have coincided in their anticipations of his future greatness. The statesman last named warned Charles, at the very commencement of the civil strife, that though Cromwell was then "of mean rank, he would climb higher."—*Phillips' Life of Lord Keeper Williams*, 290.

known to be a warning that a dissolution was approaching; it was known, too, who counselled this resolve, and Sir John Eliot determined that the councillor should not escape entirely the storm which had been gathering for his overthrow. "That councillor," said Eliot, "is the Lord Treasurer (Weston), in whose person is all evil contracted, both for the innovation of our religion and the invasion of our liberties. He is the great enemy of the commonwealth. I have traced him in all his actions, and I find him building on those grounds laid by his master, the great Duke. He is secretly moving for this interruption, and they go about to break parliaments, lest parliaments should break them. I find him the head of all that party—the Papists; and all the Jesuits and priests derive from him their shelter and protection." "I protest," added the kindling patriot, "I protest, as I am a gentleman, if my fortune be ever again to meet in this honourable assembly, that where I now leave off I will again begin."\* "Coming events" seem to have overshadowed him as he spoke: the doubt whether he should ever appear again within those walls, was one of the whispers of that unrecognised sense which reveals to us, the future, as it were by anticipation, for tyrant despotism hurried him from the Parliament to that prison, from which it refused to permit even his corpse to be withdrawn.

That second of March, the last day of the Parliament, was not to close even with that impassioned denunciation. Events more stirring were on its heel. When Eliot resumed his seat, the Speaker rose and said, the King desired their adjournment "until Tuesday

\* Parl. Hist. II. 487.



come seven-night following ;” but the House refused to obey this interference with its privileges, and the Speaker was told “that it was not his office to deliver any such command, for the adjournment of the House belonged to themselves; and that after they had settled some things they thought convenient to be spoken of, they would satisfy the King.” \*

The subject which was considered desirable “to be spoken of” was Tonnage and Poundage ; and Sir John Eliot again rose to propose for the adoption of the House, the remonstrance already quoted, declaratory that “the receiving of those and other impositions, not granted by Parliament, is a breach of the fundamental liberties of this kingdom, and contrary to the Petition of Right.”

Eliot himself read that remonstrance, for neither the Speaker nor the Clerk of the House would perform the office ; and he concluded by moving for its adoption and presentation to the King. But when the Speaker was requested to put the question, that it be adopted, he refused, adding, that “He was commanded otherwise by the King.”

Selden then rose, and thus addressed him :—

“Mr. Speaker, dare you not put the question when we command you ? If you will not, we must sit still, and so we shall do nothing ; for they that come after you may plead a similar excuse. We sit here by command from the King, under the Great Seal ; and as for you, you are by his Majesty’s command, sitting on his throne before both Houses, appointed our Speaker. Do you now refuse to be our Speaker ?”

\* Parl. Hist. II. 488.

This rational appeal could not alter his determination. He replied, "he had an express command from the King, as soon as he had delivered his message, to rise;" and so saying, he attempted to leave the chair, but was retained in it by Mr. Hollis (son of the Earl of Clare), Mr. Valentine, and other members. Sir Thomas Edmonds, and others of the Privy Council, endeavoured to release the Speaker, but Mr. Hollis swore, "By God's wounds! he should sit still until it pleased the House to rise."

The tumult in the House was great and disgraceful; disgraceful because the opinion against the Speaker should have been unanimous. The Court party vociferously opposed the question being put; and the friends of the privileges of the House supported it by counter-acclamations. Even blows were exchanged, and many laid their hands upon their sword-hilts. In the lobbies it was believed that swords were drawn, for in a manuscript letter of the period, it is stated that a Welsh servant came in great haste, and endeavoured to gain admittance at the door, saying, "I pray you let hur in; let hur in to give hur master his sword."\*

The Speaker wept bitterly, whilst he declared that he dared not put the question; but his tears were not for the trampled liberties of his country:—they were the abject confession of fear for his own interests. He was the creature of the Court, and instead of daring to disregard its frowns by performing his duty to England, he implored the House not to force him to his ruin; reminded it that he had been a faithful servant; and concluded by saying, what his conduct belied, that he

\* D'Israeli's *Curiosities of Literature* (2nd series) III. 426.

was ready to die for his country, but, (which was more true,) he dared not offend against the commands of his Sovereign.

Selden felt that this pusillanimity was more worthy of contempt than pity, and told him "that he had ever loved his person well, but he could not choose but blame him now, being the servant of the House, that he should refuse their command under any colour. His obstinacy would be a precedent to posterity, if it went unpunished ; for, hereafter, if they should meet with a dishonest Speaker, and they could not promise themselves to the contrary, he might, under pretence of the King's command, refuse to propose the business and intendment of the House."

Sir Peter Hayman was still more severe in his reproof. He told the Speaker "he was sorry he was his kinsman, for that he was a disgrace to his country, and a blot upon a noble family ; that all the inconveniences, or even destruction, that should follow, would come upon posterity as the issue of his baseness, and that he would be remembered with scorn and disdain." He concluded with declaring his opinion, that the refractory Speaker ought to be called to the bar, and a new Speaker chosen.

All these arguments, reproaches, and threats were in vain ; the recreant Speaker returned only tears and pusillanimous entreaties. Finally, Mr. Hollis was called upon to read three protestations, which stated that whoever caused an innovation of religion, advised the imposition of Tonnage and Poundage without the assent of Parliament, or whoever voluntarily paid it, if levied without such sanction, would be a capital enemy of this kingdom,

and a betrayer of its liberty. The House having agreed to these declarations, adjourned.

During these exciting proceedings, the King, hearing that the House persisted in sitting, sent a messenger to command the Serjeant to bring away the mace, but the House would not permit this formal suspension of its proceedings. His Majesty then sent a summons to them, by the Usher of the Black Rod, but he was denied admittance. Enraged at this opposition, Charles sent for a guard to force the door ; but fortunately the House had risen before it arrived.\*

On the 10th of March the King came to the House of Lords, where the Peers were assembled in their robes, and dissolved the Parliament. Many members of the Commons were present, but they had not been summoned to attend the ceremony, nor was their Speaker in attendance. To them, and to them alone, Charles attributed this termination of the Parliament, not that he blamed them indiscriminately, for he said, "As I know there are many as dutiful and loyal subjects as any are in the world, so I know that it was only some vipers amongst them that had cast this mist of difference before their eyes. As those evil-affected persons must look for their rewards, so you that are of the higher House may justly claim from me that protection and favour that a good king oweth to his loyal and faithful nobility."

Thus closed this third and eventful Parliament of Charles the First, a Parliament whose only offence was that of seeking reform less courteously than the King could tolerate. By adversity the friends of popular

\* Parl. Hist. II. 491 ; Life of Selden, 169 ; Rushworth, I. 670.



liberty had been taught to combine into an effective body—the first Opposition party known in our political history ; and they had learned also that the most certain mode of carrying their measures was to stop the supplies, until acquiescence from the Court was secured. This was the King's severest visitation ; for it was the transition-step from absolutism to a limited monarchy. He spurned the attempt : he declared as he laid aside the robes he wore at the dissolution, that he would never resume them.\* For eleven years he adhered to that resolution, and we shall now see how the realm was governed during that period of despotism.

\* D'Israeli's *Charles the First*, II. 256.

## CHAPTER VI.

Clarendon's opinion of the Government.—Sir John Eliot and others arrested.—Examined before the Privy Council.—And at the Tower.—Prosecuted in the Star Chamber.—Selden's defence.—Attorney General's reply.—Favourable opinion of the Judges.—The King removes the prisoners.—Infatuated conduct of the Court.—Solitary confinement of the prisoners.—Indicted in the Court of King's Bench.—Sir Allan Apsley.—Prisoners decline finding sureties.—Fines imposed.—Treatment voted illegal.—Cruelty to Sir John Eliot.—His death.—Prosecution of Sir Robert Cotton and others.—His library sealed.—His death.—The proposal of a Parliament forbidden.—Peace with France and Spain.—Instructions to the Subsidy Commissioners.—Knighthood-money.—Revival of Forest Laws.—Appendage of land to cottages.—Tonnage and Poundage doubled.—Fines on monopolies.—The Soap Monopoly.—Ship Money.—The first Writ.—John Hampden.—Argument of his case.—Judges' opinion.—Michael Wentworth to Lord Fairfax.—Lord Savile's case.—Bladen to Lord Fairfax.—Dr. Duppa.—Fairfax coat of arms.—Mr. Bellasis released.—Bushen's case.—Sir Giles Allington's case.—Lord Audley's execution.—Dr. Neale translated to York.—Death of Lady Wentworth.—Ferdinando Fairfax to Lord Fairfax.—Sir Thomas Herbert to Lord Fairfax.—French news.—Falconberg to Lord Fairfax.—Birth of Princess Mary.—Vavasour to Lord Fairfax.—Clifford to the same. Earl of Newcastle's promotion.—Lawson to Lord Fairfax.—Ferdinando Fairfax to the same.—Wentworth's reproof of him.—Morris to Lord Fairfax.—Wentworth's Irish government.—Bladen to Lord Fairfax.—Dr. Bramhall.—Christopher Herbert to Lord Fairfax.—Hutton to Ferdinando Fairfax.—Marriage of Lord Weston's daughter.—Lord Savile's character.—Ferdinando Fairfax to Lord Fairfax.—Sir John Melton.—Charles Fairfax to Lord Fairfax.—Affairs of the Palatinate of the Low Countries.—Biography of C. Fairfax.—T. Herbert to Lord Fairfax.—German news. Sir John Gibson to Lord Fairfax.—Mr. Goring's promotion.—The celebrated Countess of Pembroke to Lord Fairfax.—T. Herbert to Lord Fairfax.—French affairs.—Outrage on the Pope's nuncio.—W. Sheffield to Lord Fairfax.—Promotion of Mr. Littleton.—Removal of Chief Justice Heath.

WITH a knowledge of the facts detailed in the preceding chapters, having lived and mingled with those

to whom they most intimately related, Clarendon still ventured to advance, as a grave historical truth, that "many wise men thought it a time wherein those two adjuncts which Nerva was deified for uniting,—*Imperium et Libertas*, were as well reconciled as is possible." We know not who those "wise men" may have been ; but we can feel no surprise that even in those days the less courtly portion of the community declined to accept their judgment with respect to the relative proportions which should subsist between the prerogative of the ruler and the liberty of the ruled.

Casting an onward gaze over the times immediately following those which we have just passed, the same aristocratic historian tells us that "the King was resolved now to try if he could not give his people a taste of happiness, and let them see the equity of his government in a single state." Clarendon would have us believe that Charles succeeded to the entire satisfaction of the people ; and "that the like peace and plenty, and universal tranquillity for ten years was never enjoyed by any nation," yet at the end of those ten years they were in arms, nor did they lay them down until they had brought him to his death.

The first "taste of happiness" Charles gave to his people, even before the Parliament was dissolved, was to issue warrants against those, who had been most strenuous in defence of their liberties. These warrants were directed from the Privy Council to Sir John Eliot, Sir Miles Hobart, and Sir Peter Hayman, and to Denzil Holles, William Coriton, Walter Long, William Strode, Benjamin Valentine, and John Selden, Esquires, commanding their appearance at the Council-board on the following day.

The four first named obeyed the summons.

The Privy Council inquired of Mr. Holles, why, on the day of the tumult in the House of Commons, he had placed himself, contrary to custom, above the privy councillors, and next to the Speaker's chair? To which he replied, "That at some other times as well as then, he seated himself in the same place; and as for sitting above the privy councillors, he considered he was entitled to do so in any place, unless at the Council-board. He went to the House with a zeal to do the King service equal to that of any of its members; but finding his Majesty was offended with what he had done, "he humbly desired that he might rather be the subject of his mercy than of his power."

"You mean," said the Lord Treasurer Weston, "of his Majesty's mercy rather than of his justice."

Mr. Holles, however, disavowed this acknowledgment of guilt by replying, "I say of his Majesty's power, my lord."

Sir John Eliot was questioned concerning certain speeches he had uttered, and the papers he had read in the House; but in his reply he was quite as free from pusillanimity as Mr. Holles. "Whatever was said or done by me in that place and at that time," he rejoined, "was performed by me as a public man, and as a member of that House; and I am, and always shall be, ready to give an account of my sayings and doings there, whenever I shall be called unto it by that House; where, as I take it, it is only to be questioned. In the meantime, being now but a private individual, I will not trouble myself to remember what I have either spoken or done in that place as a public man."



Sir Miles Hobart was equally uncompromising. He desired to know by what warrant he could be called upon to account for his conduct in Parliament ; and insisted that, for anything done there, Parliament itself could alone inquire. He acknowledged that he shut the door of the House on the day in question, and that having locked it, he put the key into his pocket, because the House so directed him.

Sir Peter Hayman, in reply to the Council, said, that he reprov'd the Speaker,\* because the Speaker, as the servant of the House, ought to have obeyed its command. If the King had directed him, being in the Speaker's chair, to deliver such a message, he should have requested his Majesty to select some other person to communicate it to the House.

In conclusion, these four gentlemen were committed close prisoners to the Tower, where Selden and the others, with the exception of Mr. Strode and Mr. Long, soon joined them. The studies of Sir John Eliot, of Mr. Holles, and of Selden, were sealed up ; and a proclamation being issued for the apprehension of the two who had not appeared, they were soon after taken, and committed to the King's Bench Prison.†

After Selden and his fellow-prisoners had been about two weeks in confinement, they were subjected to a very strict examination before the Earls of Arundel, Dorset, and Manchester, who came to the Tower, with

\* Sir John Finch, the Speaker, whose pusillanimous conduct the House, both at this and other times, had cause to reprehend, was a tool of the Court party. He was subsequently made Lord Keeper of the Great Seal, and created Lord Fordwich ; but when the Parliament became predominant, he was accused of high treason, and fled from its authority into Holland.

† In 1641, the House of Commons voted that all these proceedings were breaches of privilege.—*Parl. Hist.* IX. 465.

others of the Privy Council. Sir Robert Heath, the Attorney General, examined them upon questions which had been previously prepared. Selden says, that he was chiefly interrogated as to his opinion concerning Ship-money being part of the royal prerogative ; and that to the questions he answered so ingenuously, that he hoped to obtain a speedy liberation. But that hope altogether deceived him.\*

Conduct so inquisitorial, and so repugnant to the usual rules of English justice, was the common routine of Star Chamber practice ; and the next step in this course of oppression and breach of privilege, which in our times would at once be justly branded as an attempt to prejudice the administration of the laws, was unnoticed in those days when tyrannical courses were so usual, as not particularly blameworthy. This step was the summoning the judges before the Privy Council, to obtain their opinions upon certain questions which were considered to be involved in the cases of these gentlemen. As they agreed that a member of Parliament could be punished for uniting himself with other members in Parliamentary resolutions tending to bring hatred and contempt upon the Government, the Attorney General exhibited an information in the Star Chamber against the nine members.†

The information specified, that they had entered into an unlawful confederacy to disturb the Government and interrupt the trade of the realm ; and that in furtherance of their design, they had written false and scandalous assertions against several of the Privy Council : also, that when the Speaker of the House of Commons

\* *Vindiciæ Maris Clausi*, 31.

† *Parl. Hist.* VIII. 354—368 ; *Rushworth*, I. 661—670.

announced to its members that his Majesty's pleasure was they should adjourn, Sir John Eliot rose several times to speak ; and when the Speaker endeavoured to leave the chair, Denzil Holles and Benjamin Valentine, being one on each side of the Speaker, held him in against his will, and upon his struggling to rise, again thrust him back : that Sir John Eliot produced a paper which he desired to have read ; that thereupon arose a confusion, and the contest became so hot, that Sir William Coriton actually assaulted another member, named Winterton ; and many members wished to leave ; Sir Miles Hobart, at his own suggestion, locked the door of the House : that they endeavoured to persuade the Speaker to read the paper ; and as he pertinaciously refused, Selden moved that the Clerk of the House should read it. For these proceedings, for several speeches, and other supposed offences, the Attorney General prayed his Majesty that they might be subpoenaed to appear in the Court of Star Chamber.

To this information, Selden demurred, and pleaded that he was not responsible for his speeches in Parliament ; and that there was no proof of a confederacy. He then pointed out, that many parts of the pretended offences did not affect him, and observed in conclusion, "No sufficient cause is set forth in the information to put this defendant to make answer to the matters therein contained. And whereas, in the said information, there is a charge, or pretence of a charge, laid against this defendant, for conspiring and confederating with the other defendants ; this defendant saith, (not acknowledging any charge either of that kind, or any other kind in the said information contained, to be true), that, as he conceives, he is not bound to make any answer,

not only for the reasons before expressed, concerning the rights and liberties of every member of the House of Commons, but also for that he conceives it is lawful for any members of the same House, for the time being, freely, according to their judgments and opinions, to join together, or agree in preparing to deliver, or in delivering unto the said House, either by speech or writing, any matter that may be communed or treated of in the same House, of which nature all the particulars supposed to have been prepared or delivered in the information are ; and having free liberty to consult, advise and agree together, concerning the weighty affairs of the Church and kingdom, is not, nor ought to be called or named a confederacy, nor questioned by information thus exhibited." He then prayed to have the information dismissed and his reasonable costs paid.

It is not uninteresting to know Selden's opinion of the forcible detention of the Speaker. He thus expresses himself: "It is supposed in the information, that the Speaker, according to his Majesty's command endeavouring to go out of the chair, was there retained against his will. This defendant conceiveth it to be so far both in form and matter from a charge to be answered to by this defendant, that out of the very words and matter of the information, the said Speaker ought to have been so stayed at that time ; for besides that it is a right belonging to that House, that its Speaker by commandment of its members is to do whatsoever belongeth to his duty in the said House, and it appeareth, from the words of the information, that the greatest number of the House had assented, before the pretended time of keeping the Speaker in



the chair, to the adjournment of the House, according to the signification of his Majesty, it was then the Speaker's duty, according to the custom of the House, to have declared the adjournment itself, and it was his bounden duty to stay in the chair until he had pronounced the adjournment so assented to. And it is ordained by authority of Parliament in the 6th year of Henry the Eighth, that no member of the House of Commons, for the time being, may depart or absent himself from the Parliament, until it is fully ended, finished, or prorogued, except he have licence of the Speaker and Commons of the House." \*

However doubtful it may be whether the ordinance of the 6th of Henry the Eighth applies to an adjournment, as it does to a prorogation of Parliament, it is not at all uncertain, that it is the duty of the Speaker to remain in the chair until the House has agreed to adjourn. Selden could not plead that this was not done, because in that case he would have admitted the occurrence of an event that chiefly implicated his friends. Whether they were right in holding the Speaker in his chair, is a question which an information could not impugn : if it were a breach of parliamentary privilege, the House of Commons was the guardian and vindicator of its own rights, perfectly unconnected with the Star Chamber ; if it were an insult, the Speaker had his private remedy. That the King has no right to command the House to adjourn, is perfectly clear ; though it is his undoubted prerogative to prorogue or dissolve the whole Parliament.

The Court party was too conscious of the badness of their case to show any alacrity in bringing it to an

\* Harleian MSS. 2217, pl. 61 h.

issue ; consequently, Selden, and his fellow-prisoners, were brought up on their motion by writs of *Habeas Corpus* to the bar of the King's Bench prison, on the first day of Trinity Term, 1629.

The declaratory part of the warrant for the imprisonment of Selden, to Sir Allan Apsley, the Lieutenant of the Tower, as returned by that officer, stated "that this commitment was for notable contempts by him committed against ourself and our government, and for stirring up sedition against us." Upon this Mr. Littleton pleaded for his client's release. He acknowledged the King's power to commit, but at the same time showed that the Court of King's Bench had power to bail any one so committed. The question, therefore, to be resolved was, whether the offences specified in the warrant were such as allowed the prisoner to be bailed. Having demonstrated that in this case they neither amounted to treason nor felony, and that they were not provided for by an express statute, he concluded with an incontrovertible appeal to the common law, and the lately enacted Petition of Right, that Selden might be admitted to bail.\*

In reply, the Attorney General argued that Selden and his fellow-prisoners should be remanded ; Hobart, Holles, and Valentine agreeing to have their cases concluded by the determination upon Selden's case.

Sir Robert Heath evidently felt that the law was against him, and relied upon convincing the judges that it was their duty to recommit them, if they thought it for the good of the commonweal. He concluded with an admonition, which the event proved was a confession that the Court party had prejudged the cases of

\* Rushworth, I. Appendix, 28—39.

the prisoners. He used these remarkable words :—  
“I am confident that you will not bail them, if any danger may ensue ; but first you are to consult with the King, and he will show you where the danger rests.”

The consultation of English judges with the King, as to the judgment they should give, needs no invective of the historian ; the common sense of every reader will supply the comment.

The present instance affords an example of the legitimate consequences. The judges informed the King that, by their oaths, they were bound to bail the prisoners. So far they were uncorrupted, but they were base enough to request his directions for them to perform their duty. Charles, however, was resolved that the law should not be superior to his will, and he dared, in the face of his people, to set them an example of contempt for the institutions and laws of the country.

When the judges were prepared to deliver their judgment upon this question, which so greatly involved the liberty of the subject, no prisoners appeared according to the rule of the court—the bar was vacant. Proclamation was consequently made, calling upon the keepers of the several prisons to produce the prisoners. The Marshal of the King's Bench alone appeared ; and he informed the court, that, upon “the King's own warrant,” his prisoners had been removed to other places of confinement.

The counsel for the prisoners prayed the court to declare its opinion of the law of the case, but this was declined by the judges, because, as the prisoners were absent, they could be neither bailed, delivered, nor

remanded. Their lordships had been prepared for this conclusion, because, the evening previously, the King wrote to inform them, that the prisoners would not be allowed to come before them, in consequence of his hearing "how most of them a while since did carry themselves insolently and unmannerly," both towards himself and their lordships. "Nevertheless," continued this contemptible apology for injustice, "the respect we bear to the proceedings of the court hath caused us to give way that Selden and Valentine should attend you to-morrow." Upon more mature deliberation, about three hours afterwards, even this was altered, the King informing the judges in a second letter, "that all the prisoners would receive the same treatment." \*

Thus did the infatuated Court urge on towards ruin. Sir Robert Cotton had warned it of the increasing dissatisfaction of the people ; and Lord Carlisle had long previously urged upon its attention the great political truth, that to gain their good opinion is to obtain power. These admonitions were, however, disregarded ; and if we trace the public transactions of the government step by step, if we notice the series of violations which were offered to the national institutions and liberties, the conviction is forced upon us, that no conduct could have been pursued better calculated to precipitate the governed and the government into that lamentable collision which invariably is fatal to the latter.

The Parliament also had warned the Court that submissive endurance was at an end, and that no government would be obeyed without resistance, that did not

\* Rushworth, I. 679—681.



guide its proceedings by the established laws. The policy dictated by common sense, (and common sense is the best political, as well as the best domestic mentor,) was to adopt such a guide, and to relax rather than strain the prerogative of the Crown. Had the opposition been a petty faction, an illegal effort of government might have crushed it ; but no oppression by that power, however determined, could crush the united resolve of the nation. Every fresh injustice acted but as a stimulus, to those who had already been roused to resistance.

The course thus unwisely and illegally adopted was pursued with severity. Solitary confinement, (that is, imprisonment without any intercourse with friends, or personal occupation,) is the most severe punishment, short of a lingering death, that can be inflicted upon our nature. To this species of imprisonment,—to the worst of weariness, the weariness of lengthened inactivity,—Selden and his fellow-prisoners, were at first condemned. During three months, the tedious monotony of this imprisonment was without the happy companionship of a book, and, of course, the use of writing materials was strictly forbidden. With books they could not have conspired treason, therefore the denial of them was an unnecessary deprivation, the severity of which those will duly estimate who remember Selden's literary pursuits. "After the lapse of about three months," says Selden, "permission was obtained for me to make use of such books as, by writing for, I procured from my friends and the booksellers, for my own library then, and long subsequently, remained under seal." He says also, "I extorted, by

entreaty, from the governor (Sir Allan Apsley)\* the use of pens, ink, and paper ; but of paper only nineteen sheets, which were at hand, were allowed, each of which was to be signed with the initials of the governor, that it might be ascertained easily how much and what I wrote ; nor did I dare to use any other. On these, during my prison leisure, I copied many extracts from the above-named books, which extracts I have now in my possession, thus signed and bound together.†

Towards the close of the vacation, the judges of the King's Bench being all in the country, were summoned to meet at Serjeants' Inn, on Michaelmas day ; and on the following morning, the Chief Justice (Sir Nicholas Hyde) and Mr. Justice Whitelocke had a conference with the King, at Hampton. His Majesty then told them, he was willing the members in the Tower should be bailed, although they were so obstinate that they would not even petition him, and confess "that they were sorry he was offended with them."‡ He then told the judges that he should abandon the proceedings against the members in the Star Chamber, and indict them in the Court of King's Bench. The judges told

\* Selden always spoke gratefully of the kindness of this gentleman. Sir Allan died in May, 1630, of a fever, which he caught during Buckingham's unfortunate attack upon the Isle of Rhé. His daughter, Mrs Hutchinson, speaking of him, when Governor of the Tower, says, "He was a father to all his prisoners, sweetening with such compassionate kindness their restraint, that the affliction of a prison was not felt in his days." She adds, that he had a singular kindness for all persons who were eminent in learning.—*Memoirs of Col. Hutchinson*, 12.

† Opera Omnia, II. 1428.

‡ The Court party finding that it had erred without attaining its object, would willingly have sneaked out of any further proceeding. It employed Dr. Mosley to endeavour to persuade the imprisoned members to submit, but they would not sue for an acquittal as a boon, which they knew they were entitled to obtain as a right.

him "the offences were not capital, and that by law the prisoners ought to be bailed, giving security for their good behaviour."

On the first day of Michaelmas Term, the judgment of the court being again moved for, it was pronounced in accordance with that which they had previously communicated to the King. Selden, answering for himself and his fellow-prisoners, replied, that they had their sureties ready for the bail, but not for the good behaviour, and desired that the first might be accepted, and the latter not urged. He reminded the court that they had been imprisoned thirty weeks ; that in all the arguments, the only question had been, whether they were or were not bailable ; and that finding sureties for their good behaviour was admitting by implication that they were guilty. "In conclusion," said Selden, "we demand to be bailed in point of right ; and if of right it be not grantable, we do not demand it. The finding of sureties for good behaviour is merely a point of discretion, and we cannot assent to it without great offence to the Parliament, where these matters, which are surmised by the return, were acted."\*

These just objections to the demand of finding sureties for their good behaviour were not all that could have been urged ; they would have been held in thralldom to the amount of the security by their persecutors ; since the judicature of England, as then unfortunately constituted, would have interpreted any conduct to be a breach of good behaviour, which the Stuart party with any colourable reason might suggest. We have already

\* Rushworth, I. 682.

seen it consented not to do right when that party dictated ; and without any other appeal to the history of the period, we must be conscious that there is no wide interval between passive and active injustice.

Selden remarks in his last published work, (and the subsequent reversal of the judgment justifies his assertion,) that the judges themselves were conscious that he and his fellow-prisoners had done nothing which required them to find sureties for their good behaviour ; and their counsel, as well as their own experience, assured them, that securities were only usually required of criminals ; they, therefore, refused to enter into these recognisances, not only because it would be conduct unworthy of themselves, but because they were determined that the privileges of Parliament, and the just liberty of the English people, should not be infringed by their acquiescence.\* They were consequently remanded to the Tower, and their persecution was now changed in form, as the King had announced, to an information against them in the Court of King's Bench. Selden, Holles, Valentine, and Eliot were made the subjects of this proceeding. They excepted to the jurisdiction of the court, as their offences were alleged to have been committed in Parliament, and therefore by Parliament alone were they punishable.

This exception was overruled, and judgment was finally given against them, upon the plea of *Nihil dixit*, "that they should be imprisoned, and not delivered until they had given security for their good behaviour, and made a submission and acknowledgment of their offences."

\* Opera Omnia, II. 1429.



In submitting to this sacrifice of inclination to duty, Selden had to overcome many temptations besides our natural repugnance to captivity. Far more than the requisite number of friends were ready to be his sureties ; they urged him to comply, and represented that the time of his imprisonment was of an entirely indefinite duration. The Chief Justice declared that there was no other purchase-price for his liberty, and when it was remarked that he had been already eight months in prison, that judge, who, as Selden remarks, ought to be "the legal vindicator of every personal liberty," observed they might be lengthened into eight years, unless he submitted. Entreaties and threats, however, were alike unavailing, and he remained firm even with the knowledge that those, who had hitherto suffered firmly by his side, faltered in their endurance, and at length compromised with their common oppressors.

Mr. Hollis paid one thousand marks ; Mr. Long two thousand marks ; Mr. Valentine five hundred pounds, and were, with Mr. Hobart and others, released after various terms of imprisonment, upon entering into bonds of two thousand pounds each, not to come nearer the Court than ten miles.\*

\* Parl. Hist. VIII. 388. Mr. Long yielded to the entreaties of his wife and mother ; but when he understood that his fellow-prisoners had refused to find sureties for their good behaviour, "he had no rest till he had made his sureties to desist from their suretyship, and so was again returned into prison."—*Sloane MSS.*

In 1641, the Parliament voted the treatment of these gentlemen to be a breach of the privilege of Parliament, and gave to them or their heirs (accordingly as they had or had not survived) 5000*l.* each, as some recompense for the expense and loss they had suffered. In 1667, when the decision of the Legislature may be esteemed more dispassionate, both Houses of Parliament agreed in resolving that the judgment of the Court of King's Bench upon these sufferers in the cause of freedom, "was an illegal judgment, and against the freedom and privileges of Parliament."—*Croke's Reports*, III. 669.

Sir John Eliot fell a martyr to the cause. He refused to submit to the degrading and unjust terms offered by the Court, and prepared, with his usual energy, to endure that confinement which he foresaw would be for the residue of his life. He had, some years previous to his first confinement, assigned over all his estates, with provident forethought, in trust for the use of his children ; and now, when informed that he was sentenced to pay a fine of 2000*l.*, he replied, "I have two cloaks, two suits, two pair of boots and galla-shees, and a few books ; that is all my present substance, and if they can pick out of that 2000*l.*, much good may it do them." In the solitude of his prison he continued to act a part consistent with his most active life. In letters still remaining among the papers of the St. Germain family, we have his own assurance, that though "faint and feeble," he did "not bate a jot of heart and hope." He wrote to Hampden and other friends, as well as to his sons. He warned the latter that the only overwhelming sorrow which could come upon him, would be a knowledge of their unworthiness, by which he pathetically observes, "I shall then receive that wound, which, I thank God, no enemy could give me ;—sorrow and affliction of mind, and that from them from whom I expected the contrary." He further occupied his monotonous leisure, by composing a treatise upon the "Monarchy of Man," which is preserved among the Harleian manuscripts, and is an eloquent expression of learning and religion, applicable to our conduct in life. Imprisonment slowly completed its work of death. His legal adviser related, that he "found him the same cheerful, healthful, undaunted

man as ever ;” but he was gradually sinking. His native county petitioned for his release. He applied to the Court of King’s Bench, but the Lord Chief Justice Richardson, coldly remarking “ that though brought low in body, Sir John was as high and lofty in mind as ever,” directed him to petition the King. Sir John conveyed a request for a release to Charles, and the King made answer.—“ It is not humble enough !” The petition was re-worded, but still the unbroken spirit of Eliot spoke in words that were uncringing, and there came to it no reply !

The patriot rose to meet his impending fate. He sent for a painter, that his descendants might know the lineaments of their ancestor, who died for the legal freedom of their country. “ Let it be preserved,” was his desire, “ as a perpetual memorial of my hatred of tyranny.” It still exists at Port Eliot, and well expresses the features, pale and contracted by the inroads of consumption. Some few of his letters remain, written at this period, when he was dying, and they contain the most eloquent expressions of resignation and of hope. He said he had now nothing remaining in this world, “ but the contestation between an ill body and the air, that quarrel and make friends as the summer winds affect them ;” but he was contented, and looked forward with fearless and enthusiastic delight to the arrival of the period of his departure to that eternal home “ where the weary are at rest.”

He died in the third week of November, 1632. Stuart hatred was not even yet satiated. I record the following fact without comment. Sir John’s son petitioned to be allowed to convey the body of his

father into Cornwall, but the inexorable answer, was, "Let Sir John Eliot's body be buried in the church of that parish where he died." The King was obeyed. His ashes rest in the Tower Chapel.\*

Selden was not dismissed without further persecution, for he was attacked upon another charge, though as yet unreleased from the sentence already pronounced.

The Attorney General filed an information in the Star Chamber against him, Sir Robert Cotton, and Gilbert Barrell, for "intending to raise false, scandalous, and seditious rumours" against the King and his government, as appeared in "a false, seditious, and pestilent discourse," which they had "seditiously framed, contrived and written."

This discourse was entitled "A Proposition for his Majesty's service, to bridle the impertinency of Parliament," and upon their trial it was incontestably proved to have been written by Sir Robert Dudley, commonly called Earl of Warwick and Duke of Northumberland, in the reign of James the First. The manuscript was in the library of Sir Robert Cotton, and copies of it being traced to the possession of Selden, Barrell, and the Earls of Bedford, Somerset, and Clare, they were all implicated in its dissemination, until the decision of the Court determined its true origin.

It appears to have been a satire upon the spirit of the Stuart government ; and the ministers of Charles must have so thought, otherwise they would never have prosecuted such men as Sir Robert Cotton and Selden,

\* Prince's Worthies of Devon, ed. 1810, 128 ; Bliss's Wood's Athen. Oxon. II. 478 ; D'Israeli's Curiosities of Literature ; Sloane MSS. ; Harleian MSS. ; Rushworth.



who had been the unflinching advocates of constitutional liberty, for a composition every sentence of which recommends the most absurd system of despotic misrule. A few short extracts will best show its character.

It recommends the King to have a fort in every town, well supplied with men and the necessaries of war, for "it is a greater tie of the people by force and necessity than merely by love and affection ; for by the one, the government resteth always secure, but by the other no longer than the people are well contented. Secondly, it forceth obstinate subjects to be no more presumptuous than it pleaseth your Majesty to permit them. Your Majesty's government is more secure by the people's more subjection, and by their subjection your Parliament must be forced, consequently, to alter their style, and to be conformable to your will and pleasure ; for their words and opposition import nothing when the power is in your Majesty's hands to do with them what you please." The second part of the Discourse relates to his Majesty's revenues, and advises that if "subjects have not wit or will to consider their own interest, your Majesty's wisdom must repair their defects, and force them to it by compulsion." \*

At length, weary of this contest with men who would

\* There is a complete copy of this Discourse among the Harleian MSS. To it are appended some particulars relating to this extraordinary prosecution. Still more full information is contained in Sir Symonds D'Ewes' Journal, preserved among the same MSS. See also *Gentleman's Magazine*, XXXVII. 335.

A manuscript note of Chief Justice Hyde says, that the information exhibited on this occasion by the Attorney General included the Earls of Bedford, Clare, and Somerset. Instead of giving an honest acquittal to all the defendants, the Lord Keeper Coventry signified to the Court that the King, out of his grace and joy at the birth of a Prince, (Charles, born the May before), would pardon them,

yield nothing of their rights, and over whom no advantage could be gained, the Court mitigated the suggestions of its anger, and an order was sent by the Privy Council to the lieutenant of the Tower, to release such as remained in his custody from close confinement, to allow them such freedom as could be enjoyed within the walls, and for them to have a free intercourse with their friends. The Government took care that they should pay for this indulgence, for Selden informs us, that whereas they had, according to custom, been liberally dieted at the expense of the Crown, whilst closely imprisoned, they were now left to provide for themselves.\*

This relaxation encouraged them to request a still more diminished restraint, for, considering that it would be more difficult to obtain permission to go occasionally abroad in the Tower than in any other prison, Selden and Mr. Strode, two or three weeks subsequently, obtained their removal to the Marshalsea, upon a committal similar to the original, directing their detention until they found security for their good behaviour.

Selden was detained in the Marshalsea until May,

and not proceed to demand sentence. But on motion by the Attorney General, that Sir Robert Cotton had in his library records, evidences, ledger-books, original letters, and instruments of State belonging to the King, (and to prove it the Attorney General showed a copy of a pardon which Sir Robert had obtained from King James, for embezzling records, and other offences), it therefore was thought lawful, and ordered, that commissioners should be appointed, who might search his library, and withdraw from it all the King's papers.—*Lansdowne MSS.* 841, fol. 79. This was the death-blow to Sir Robert. From that day he declined in health, frequently declaring to his friends, "that they had broken his heart who had locked up his library from him;" and just previously to his death he had the Privy Council informed "that their so long detaining his books from him, without rendering any reason for the same, had been the cause of his mortal malady." He died in May, 1631.

\* Opera Omnia, II. 1430.

1630, but this imprisonment was scarcely more than nominal ; for, upon submitting to certain rules, he was allowed to go without the walls wherever and as often as he wished.\*

Another "taste of happiness" bestowed upon the people was a proclamation, in which Charles announced that he was not only resolved to continue the government "in a single state," but warned every one from offering contrary advice. This true specimen of a despotic edict, after observing that the recall of a Parliament had been publicly suggested "for several ill ends," announced that his Majesty "would account it presumption for any to prescribe a time to him for Parliaments ; the calling, continuing, and dissolving of them being always in the King's own power."†

Thus determined to rule without the aid of that branch of the legislature which could alone give him a legal right to demand supplies from his people, Charles wisely resolved to cease from those wars so rashly commenced, in which no honour had been acquired, and to meet the extraordinary expenses of which, there could be no probability of an overflowing exchequer. Peace was signed, therefore, with France and Spain ; and, except that no stipulations were provided for the protection of the Hugonots, (in whose behalf the first war professedly was waged,) on honourable terms, and the three kingdoms were respectively "remitted to the affections they formerly had."

Money was required for the ordinary expenses of Government, even in "a piping time of peace," and the

\* Life of Selden, 173, &c.

† Franklyn's Annals, 361 ; Parl. Hist. II. 524.

first measure adopted appears from the following instructions, endorsed by Lord Fairfax :—

COPY OF INSTRUCTIONS FROM THE COUNCIL AT WHITEHALL  
TO THE COMMISSIONERS FOR RAISING THE SUBSIDY  
GRANTED TO HIS MAJESTY, WITH A LIST OF THE COM-  
MISSIONERS.\*

AFTER our hearty commendations, we have forborne till now to send down the commissions for the assessment of the last subsidy, in succour of the poorer sort of his Majesty's subjects, to ease them what we could, by prolonging their payment, that the burden might fall the less heavier upon them. Besides, we thought it not amiss to expect the going down of those principal gentlemen who attended the Parliament ; to the end that by their forwardness and effectual endeavours their own good intentions in granting these subsidies might the better be performed. For they all know what complaints were made, as well in Parliament as elsewhere, that the burden of those payments was cast upon the inferiors, and that the better sort were not rateably assessed, whereby the sum of their aids was grown less near by half, than it was in former times ; and yet upon due consideration, nothing can be found more to concern both the honour and welfare of the

\* COMMISSIONERS' NAMES.—The Lord President ; the Earl of Cumberland ; Earl of Sunderland ; Viscount Saville ; the Lord Clifford ; Lord Darcy ; Lord Sanquhar ; Lord Fairfax ; Lord Savill ; Sir Richard Hutton ; Sir Francis Wortley ; Sir Henry Savill ; Sir Richard Beaumont ; Sir Thomas Hobbis ; Sir Henry Goodrick ; Sir Guy Palmes ; Sir Richard Tempest ; Sir Edward Waterhouse ; Sir Thomas Bland ; Sir William Lister ; Sir John Ramsden ; Thomas Wentworth, Esq. ; William Mallory, Esq. ; Thomas Mauleverer, Esq. ; John Key, Esq. ; Jasper Blithman, Esq. ; Godfrey Boswell, Esq. ; Francis Burdett, Esq. ; Richard Sunderland, Esq. ; Thomas Faber, Esq. ; William Lowther, Esq.



kingdom, than that these common aids should contain a sufficient supply for the great and extraordinary affairs of the estate, to make it more respected both by enemies and by friends, and that our kings may have cause highly to value the free affections of their subjects, and to rely wholly upon them, as his Majesty most desires. This we doubt not but you will weigh and seriously take to heart, and accordingly advance the assessment of those that be best able, and who in former payments have been too much undervalued. And because the said former payments have been collected, and returned with a loose hand, (half of the last subsidy being payable in December last is not yet received,) we must now expect and require a more careful order to be taken for reformation hereof, and for the hastening of these last payments with all possible speed; so that the time for seasonable preparations for his Majesty's great occasions may not be spent before the means to set them forward may be had, which assuredly will come to pass, if you employ not an extraordinary care, for which his Majesty may have cause to give you thanks. We send with the commissions the rolls of recusants as they are returned into the Exchequer, and for such as are to be had in the country, yourself can best provide. And so expecting your careful and diligent performance of these our directions, we bid you heartily farewell. Given at Whitehall the last of March, 1629.

Your loving friends,

THOMAS COVENTRY.

MONTGOMERY.

SALISBURY.

THOS. SUFFOLK.

WESTON.

The payment of these subsidies came in slowly, and the receipts had been forestalled by the expenditure on the expedition which Buckingham was to have commanded, and which proved, under the Earl of Lindsay, as abortive as its predecessors. New resources of revenue, therefore, had now to be discovered, and whilst the prerogative of the Crown was still exceeded by the continued enforcement of Tonnage and Poundage, other "tastes of happiness" were sedulously sought for among the clauses of obsolete statutes, to discover pretexts under which money might be extorted.

First among these was knighthood-money, a suggestion attributed to Lord Wentworth. This, though legal, because founded upon unrepealed statutes, yet was calculated to make "knights more plentiful than gentlemen or loyal subjects," and was the first occasion of bringing so cheap a semblance of dignity into contempt. This, however, weighed nothing in opposition to the pressure for money, to obtain which "the King seemed resolved to make use of any authority which his regality by any custom or law had formerly exercised. And under this pretence," adds the royalist Sir Philip Warwick, "crept in divers monopolies and projects probably less warrantable."\* Though the levying of knighthood-money "had a foundation in right yet, in the circumstances of proceeding, it was very grievous,"† for it was made an occasion of inquisitorial search into the amount of men's private estates; and the requisite amount of landed income, 40*l.* per annum, was ridiculously low, for the purpose of rendering a greater number liable to the fines and fees. It brought 100,000*l.* into the royal

\* Warwick's Memoirs, 49.

† Clarendon's History, I. 53.

exchequer, for multitudes paid the fine rather than submit to the ridicule which would have been vented upon their knighthood. Like other instances of this monarch's unparliamentary rule, it gave birth to a statute (16 Charles I. c. xx), when the legislature again assembled, to prevent the future exercise of this injurious power; a power, as the preamble justly declares, both "useless and unreasonable," and the vexatious exercise of which it thus details: "Proclamations were made in every county for certifying the names of all men of full age, not being knights, and being seised of lands or rents of the yearly value of 40*l.* or more, summoning them personally to appear in the King's presence before a certain day, to receive the said order or dignity. Process of *Distringas* was made from the Court of Exchequer against a very great number of persons, many of whom were altogether unfit either by estate or quality to receive the said dignity, and very many were put to grievous fines and other vexations, although it were not sufficiently known how or where they or any of them should have addressed themselves for the receiving the said dignity, and for saving themselves thereby from the said fines, process, and vexations." When Charles gave his assent to that statute he must have blushed as he listened to its preamble.

As the levying of knighthood-money was directed to the mulcting of the less wealthy classes of the community, so other obsolete laws were revived in a similar manner to place under "unreasonable contribution," those of higher pretensions and more ample means. For this purpose "the old laws of the forest were revived, by which not only great fines were imposed (for alleged encroachments),

but great annual rents were intended, and likely to be settled by way of contract (for the future quiet enjoyment of the lands so alleged to have been subtracted from the forests). This burthen," adds Clarendon, "lighted most upon persons of quality and honour, who thought themselves above ordinary oppressions, and were likely therefore to remember it with more sharpness." \* Rushworth declares, without any intimation of doubt, that the jurors, who "in such cases are men living within the forest purlieus, and consequently peculiarly open to influence," were induced to return unjust verdicts. To what extent these persecutions were carried may be gathered from the following extracts from letters sent to Lord Wentworth by the Rev. Mr. Garrard :—

"Whitfield is made a serjeant, for the service he hath done at Dean Forest, and for a later in Essex, for they would have brought all Essex, from Stratford-Bow to Colchester, to be Forest. 'Tis not yet judged, for the gentlemen of that county being unprepared for a defence, have time given them until the Justice in Eyre sit again. If then they cannot free themselves, they must for ever submit to Forest Law." Writing again a few months after, the same correspondent says,—"The justice seat in Essex hath been kept this Easter week, and all Essex is become Forest ; and, so they say, will all the counties of England but three ; Kent, Surrey, and Sussex. The Commissioners for the Treasury sit constantly thrice a week ; they look back for five years past, and some of them are amazed to see the greatness

\* Clarendon's History, I. 53. The Statute 16 Charles I. c. xvi. prevents such future wrongs ; but it does not fail to reprobate also "the great grievance and vexation" which had demanded its enactment.



of the King's debts." "My Lord of Holland is commanded to Winchester, to finish his justice seat for the New Forest, where more especially comes in question the manor of Beaulieu. My Lord of Southampton hath been at Court about it: it much concerns him in his fortune, yielding him now from his tenants 2500*l.* a year, but if it prove to be Forest, it would yield but 500*l.* yearly. So that his French wife, with whom he had little, and this business, would utterly ruin him in his fortune." "About the 20th of September, my Lord of Holland went to keep his great Court of Justice in Eyre, both in Northamptonshire and Oxfordshire. Against Rockingham Forest were found many great trespassers. My lord was assisted by five judges, Bridgeman, Finch, Trevor, Jones, and Crawley; and those who were found faulty were soundly fined. My Lord of Salisbury, for his father's faults, if he made any, for Brigstock Park, given him by Queen Elizabeth, was fined 20,000*l.*; but I hope he will come off, for, it is said, if his counsel had been well informed by his servants who attended the business, and had shown in time those pardons which King James gave Robert, Earl of Salisbury, when he came to the throne, he had escaped fining; but now he is at the King's mercy. The Earl of Westmoreland was fined 19,000*l.*; Sir Christopher Hatton 12,000*l.*; my Lord Newport 3000*l.*; Sir Lewis Watson 4000*l.*; Sir Robert Bannister 3000*l.*; my Lord of Peterborough, my Lord Brudenell, Sir Lewis Tresham, and others, little fines, which I omit. The bounds of this forest of Rockingham are increased from six miles to sixty. The particulars of his proceedings in Oxfordshire I know not; it was

no great matter he did there. My Lord Danby was fined 500*l.*, which he hath sent in.”\*

The profession that the collection of the subsidies was delayed “in succour of the poorer sort,”† harmonises strangely with the fact, that even the meanest cottagers were fined and harassed under a statute, which, (like most other attempts of the legislature to direct what a man ought to do with his own,) proving a failure in practice, had been allowed to remain inoperative on the statute-book. We may accept this as a fact incapable of denial, for it is contained in a letter to Lord Wentworth, from his indefatigable correspondent last quoted: “Here is at this present (October 9th, 1637), a commission in execution against cottagers, who have not four acres of ground laid to their houses, upon a statute made 31 of Elizabeth, which vexeth the poor mightily, is far more burthensome to them than the ship-monies, all for the benefit of the Lord Morton, and the Secretary of Scotland, Lord Stirling. Much crying out there is against it, especially because mean, needy men of no good fame, prisoners in the Fleet, are used as the principal commissioners to call the people before them, to fine and compound with them.”‡

The enforcement of these three measures were directed against the landed proprietors of England, but the mercantile portion of the community came in for additional and special exactions. The tax of Tonnage and Poundage was doubled,§ an increase never before attempted;

\* *Strafford's Letters*, I. 335, 413, 467; II. 117.

† See page 210.

‡ The Statute 31 Eliz. c. vii. forbids the erection of any cottage without “assigning or laying to the said cottage four acres of ground at the least.”

§ *Strafford's Letters*, I. 428.

but the merchant and the manufacturer had additional difficulties to contend against, even when labouring under these illegal imposts, consequent upon the grant of innumerable and vexatious monopolies. These monopolies, so embarrassing to trade and so effectual in raising prices to the consumers, included a large majority of the necessities of life. Coals, iron, salt, soap, leather, tobacco, beer, herrings, butter, linen, hops, buttons, and spectacles, were only a few of the articles monopolised by the sovereign's dictate for the emolument of the few at the expense of the many. No one can read the records of the time without being struck with the thought that the Star Chamber, High Commission Court, and other tribunals, had no other employment than to provide for the wants of the King, and to ruin the adversaries of his power.\* If discontent appeared too general for such proceedings to be easily practicable in any particular county, its militia were disarmed, and the royal troops were sent there, and the inhabitants compelled not only to board and lodge, but to equip them.

The soap monopoly, above all others, appears to have been the most unjust, and has consigned every one

\* Six millions sterling were raised, during this unparliamentary period, by fines alone. Lord Morley, for calling Sir George Theobald "a base rascal," within the royal palace, was fined 20,000*l.*, and committed to the Tower. Laud and the Lord Privy Seal were for the severest sentence.—*Strafford Letters*, I. 335. But one of the cases most savouring of pre-influenced injustice was that of Sir David Foulis. For persuading certain parties in Yorkshire not to compound for their knighthood, and for speaking slightly of Lord Wentworth, he was removed from the Commission of the Peace, condemned to a public apology, and fined 5000*l.*—*Rushworth*, II. 219. This was excessive punishment; but how exasperated is our sense of the injustice when we now find that it was Strafford who privately urged Laud to punish, and the latter actually promised to gratify him, before the case was heard.—*Strafford's Letters*, I. 146, &c.

connected with it to the mingled scorn and ridicule of after ages.

Two parties were competitors for this monopoly, the one being content to make the soap after the accustomed mode, but the other having "a new soap" wherewith to deterge his Majesty's lieges. It is scarcely needful to say that all female England rose against the innovation ; for, as a contemporary relates, "it burns the linen, scalds the laundresses' fingers, and wastes infinitely in keeping, being full of lime and tallow." But despite all this, "the new soap-boilers got the upper hand of the old," and we now know the reason ;—they gave most to the royal Exchequer, agreeing "to pay the King 30,000*l.* for two years and 40,000*l.* ever after." This outweighed all the clamour of all the old washer-women within and without the bills of mortality. It might have been otherwise could their tongues have waged war within earshot of his Majesty, for they fairly frightened the Lord Mayor of London. He listened to their complaints so far as to represent their statements to the King, but "he received a shrewd reprimand for his pusillanimity in this business, being afraid of a troop of women." But (richest passage of all in this battle of the wash-tubs) a grave body of commissioners sat, comprising sages of no less dignity than "the lieutenant of the Tower, Sir William Beecher, Sir Abraham Williams, Spiller, the Lord Mayor, and some Aldermen," who after presiding over "two general washing-days at Guildhall," gave a verdict for the new soap.\*

\* *Strafford's Letters*, I. 176, 446. According to Clarendon, the renegade Noy was the suggestor of the soap monopoly as well as of Ship-money.



Ship-money, if not at the time the most irritating exaction of that age of fiscal devices, is the impost which is most connected with that era in our memories, for it brought England in most effective opposition to the Court, and first prominently introduced to public notice the individual whose name and that of patriot are become synonymous. It was a tax rendered still more unpopular, as being an occasion which demonstrated that the judges betrayed their sacred charge. Neither was it less obnoxious by being a suggestion of Mr. Noy, tempted from the ranks of the friends of the people by the proffered Attorney-Generalship. The birth-time of this suggestion was 1634, and was at first proposed to be levied only upon the maritime towns, and ostensibly for maintaining the navy ; but, said Selden, that was like putting in a little auger, in order that a larger might be afterwards inserted, for the tax was soon forced also upon the inland counties.

The royal income, despite all the contrivances and severities employed (though justice even had been prostituted to supply the deficiency), was now so narrowed, that this levy was almost the last unparliamentary resource, and Lord Conway was as correct as quaint when he told Lord Wentworth, " If this order for shipping go on, and be well guided, we shall be *lupi* (wolves) ; if it sink, we shall be *pecora* (sheep) : for every creature in this world doth eat, or is eaten."<sup>\*</sup>

If the levy of Ship-money had been legal and uncontested, it would have rendered the Crown independent of Parliament ; for in conjunction with other sources of revenue, an annual supply would have been obtained

\* Strafford's Letters, I. 479.

more than ample for the ordinary expenditure. "All the shires in England," said Mr. Garrard, writing to Lord Wentworth, "are rated. The whole sum, if they can get the money, comes to 218,500*l*. Your county of York, 12,000*l*.; London and Middlesex, 21,500*l*.: ships, forty-five; mariners, 7103; a notable revenue, if it be paid every year, far better than Tonnage and Poundage, and yet that is paid too."\*

The first of these writs issued was to the city of London, and bears date October the 20th, 1634, commanding seven ships of war, with their requisite crews, armament and provisions, to be provided by the city, and to rendezvous at Portsmouth before the 1st of the following March; powers being added in the writ for the Mayor and Aldermen "to assess all men in the said city," and to imprison the refractory.† The Corporation petitioned against the levy, but the result is told in the following letter, dated the 11th of January, 1635: "The Mayor of London received some reprimand for being so slow in giving answer to the writ; afterwards, the city council were called before the Lords and received some gentle check, or rather were admonished to take heed how they advised the city in a case so clear for the King, wherein his Majesty had first advised with his learned counsel, and with his Council of state. It wrought this effect, that they all yielded, and instantly fell to seizing in all the wards of London. It will cost the city at least thirty-five thousand pounds. They

\* Strafford's Letters, I. 463. This letter is dated September 1st, 1635, and in another dated November 28th, Mr. Howell says, "The levy of the Ship-money in towns and country is done, and the money almost come in; there is a computation made that it will amount to two subsidies and a half.—*Ibid.* 489.

† State Trials, III. 830, edited by Cobbett.

hoist up the merchant-strangers, Sir William Curtyre, three hundred and sixty pounds ; Sir Thomas Cuttcale, three hundred pounds : great sums to pay at one tax, and we know not how often it may come. It reaches us in the Strand, being within the Liberties of Westminster, which furnisheth out one ship. My Lord of Bedford, sixty pounds ; my Lord of Salisbury, twenty-five pounds ; my Lord of Clare, forty pounds ; the Lord Keeper, and Lord Treasurer, twenty pounds a-piece ; nay, lodgers, for I am set at forty shillings. Giving subsidies in Parliament, I was well content to pay to, which now hath brought me into this tax ; but I tell my Lord Cottinton, that I had rather give and pay ten subsidies in Parliament, than ten shillings this new-old way of dead Noy's. Letters are also gone down to the High Sheriffs of the maritime counties to quicken them.”\*

The writs issued in 1634 contained a clause that no more money was to be levied than was required for providing the ships and their equipment, but when they were issued in subsequent years, when the inland towns and counties were included, and the levy was intended to be annual, this clause was omitted, or by an accompanying letter the money was required to be paid into the Royal Exchequer. “In the first year,” said the Lord Keeper to the judges, “when the writs were directed to the ports and maritime places, they received little or no opposition ; but in the second year, when they went generally throughout the kingdom (though by some well obeyed) they have been refused by some, not only in inland counties, but in some maritime places.”†

\* Strafford's Letters, I. 358.

† State Trials, III. 841. The responsibility of issuing the writs throughout

Among these recusants was John Hampden, a man of ample fortune, liberal, generous, and charitable, and who contested the payment of the paltry sum demanded, for no other cause than to vindicate the principle, that the levy could not be justified without the sanction of Parliament. Previously to disputing this payment "he was rather of reputation in his own county, than of fame in the kingdom ; but, then, he grew the argument of all tongues, every man inquiring who and what he was that durst, at his own charge, support the liberty and property of the kingdom, and rescue his country, as he thought, from being made a prey to the Court. His carriage, throughout this agitation, was with that rare temper and modesty, that they who watched him narrowly to find some advantage against his person, to make him less resolute in his cause, were compelled to give him a just testimony. And the judgment that was given against him infinitely more advanced him than the service for which it was given. His reputation for honesty was universal, and his affections seemed so publicly guided, that no corrupt nor private ends could bias him." \* Such is the testimony of Clarendon, at one time his intimate friend, and one of the members selected by the Commons to urge upon the Peers a concurrence with them in condemning the judgment in favour of Ship-money.

England does not rest upon Noy, but upon Sir John Finch (Chief Justice of the Common Pleas), Sir John Brampton (Chief Justice of the King's Bench), and Sir Humphry Davenport (Lord Chief Baron). The King having sought their opinion, they answered (June 1635) in these words : "Whereas the charge of defending the sea had been imposed on the Cinque Ports, so, where the whole kingdom is in danger, the whole charge ought to be maintained by all the subjects of the realm."—*Ibid.* 1219. \* Clarendon's History, II. 205.



Charles sought to win Hampden over to the ranks of his supporters, and the Parliament would have granted any request that might have been gratifying to avarice or ambition. But acting upon principle, and above all temptation, he pressed forward on the course which he considered just, turning aside from him all allurements, and obtaining this most memorable of praise—"He had more ambition to have been the Prince's governor (tutor) than for any greater place."\* And why, but that he might have provided for England's future liberty and happiness, by instilling into him better lessons of constitutional knowledge than he was likely to imbibe among the high-prerogative sycophants of the Royal Court?

The progress and issue of his dispute against the levy of Ship-money may be briefly told. By a writ, dated the 4th of August, 1635, Buckinghamshire was called upon to furnish one ship of war, and towards this, "John Hampden, Esq., of Stoke Mandeville," in that county, was assessed to pay twenty shillings. This assessment was not in pursuance of the writ, but in compliance with instructions sent with it to the sheriff, that "instead of a ship, he should levy upon his county such a sum of money, and return the same to the Treasurer of the Navy for his Majesty's use."† For six days before, all the judges of England, did Mr. Oliver St. John and Mr. Holborne argue against the legality of the levy; and the replies of the Attorney and Solicitor Generals, Sir John Bankes and Sir Edward Littleton, both renegades from the popular party, occupied a similar space of time. It is not too

\* Warwick's Memoirs, 242.

† Clarendon's History, I. 53.

much to say, that they exhausted all the sources of argument and precedent that could be cited in favour of their respective clients. The great delinquents in the case were those judges who gave their decision in favour of the Crown, for as even Clarendon acknowledges, it was "adjudged upon such grounds and reasons as every stander-by was able to swear was not law."\* One of them, a Baron of the Exchequer, Sir Thomas Trevor, justified his judgment upon the totally untenable ground, that "We, who are the judges of the kingdom, have paid it, therefore it is fit our opinions concur with our actions in this case." The Lord Chief Justice of the King's Bench, but upon a technical point, gave a decision in favour of Hampden, as did the Lord Chief Baron, and another Baron of the Exchequer, Sir John Denham; but Sir George Croke, one of the puisne judges of the King's Bench, and Sir Richard Hutton, a puisne judge of the Common Pleas, were in his favour upon the law generally.

The judge last-named revealed the iniquitous course which had been pursued, and to which the judges had unwittingly submitted, of giving an extra-judicial opinion upon a point involving to a certain extent the legality of this levy. On the second of February, 1636, just at the very time when the impost was likely to become the subject of judicial enquiry, the King submitted to them these comprehensive questions:—

"When the good and safety of the kingdom in general is concerned, and the whole kingdom is in danger; whether may not the King, by writ under the great seal of England, command all the subjects of this

\* Clarendon's History, I. 54.

kingdom, at their charge, to provide and furnish such number of ships, with men, victuals, and munition, and for such time as he shall think fit, for the defence and safeguard of the kingdom from such danger and peril ; and, by law, compel the doing thereof, in case of refusal or refractoriness ? And whether, in such a case, is not the King sole judge, both of the danger, and when and how the same is to be prevented and avoided ?” These general queries received from the twelve judges replies as generally affirmative, but Mr. Justice Hutton with just discrimination observed, — “No man of us but sometimes delivers his opinion, and yet, after argument, have changed our opinions, and gone contrary to our former judgment; but if after the arguments now heard I had been of the same opinion that was then delivered, yet this writ doth not pursue its direction. We agreed that the King might charge his subjects in case of a general danger, yet this was, and is intended, not a danger from pirates, but an imminent necessity, and apparent danger, which could not be avoided.”\*

Since the day of the delivery of that judgment, not one lawyer of eminence has recorded an opinion in favour of the legality of the levy. Even if England had not been at entire peace with all Europe, but had been at war with its chief states, instead of being disturbed only by some pirates in the channel, as was actually the case, still the writs were in defiance of both the Common and the Statute Law, unwarranted by any prerogative of the Crown, and totally without precedent. The reversal of the judgment was passed without opposition through both Houses a few years subsequently, for it was most

\* State Trials, III. 1198.

clear, as observed by Lord Falkland, "the learned, the honest, the sincere," that if that judgment were law, then "his Majesty, as often as himself pleaseth, may declare that the kingdom is in danger ; that so often, for prevention of such danger, his Majesty, by his writ under the Great Seal of England, may alter the property of the subjects' goods, without their consent in Parliament, and in such proportion as his Majesty shall think fit ; and besides, the altering of the property of their goods may deprive them of the liberty of their persons, and of their lives, in such manner as himself shall please."\* Out of evil, however, arose good, for all England was roused more than ever to oppose this and all other illegal inroads, for they now saw plainly that they had no longer a safeguard in the integrity of the judges, but that these were "as sharp-sighted as Secretaries of State, and in the mysteries of state ; judgment of law grounded upon matter of fact, of which there was neither inquiry nor proof ; and no reason given for the payment of the shillings in question, but what included the estates of all the by-standers."†

Leaving for awhile the more important events of this period of despotism, we may now turn to the consideration of some biographical details, as narrated in the following letters.

\* State Trials, III. 1265.

† Clarendon's History, I. 55.



TO THE RIGHT HONOURABLE MY VERY GOOD LORD,  
MY LORD FAIRFAX, AT DENTON.

MY GOOD LORD,

THERE was this day se'nnight (the 13th of this month) a matter handled at London concerning your lordship, with others, which being so lately done, may be, you have not yet had notice thereof. The bill preferred in the Star Chamber against my Lord Wentworth, my Lord Clifford, your lordship, and others, by the Lord Savill, was then heard and spoken unto; the issue whereof was, the Lord Savill was fined 100*l.* to the King; the Lord Wentworth, Lord Clifford, and your lordship, each of you, 100*l.* for damages. Sir Thomas Gower, Sir Richard Cholmeley, Sir Edward Stanhope, and the two Mr. Legerdes, every of them, 50*l.*; the bill to be taken off the file; which the Lord Savill's counsel speaking against, he is admitted to prosecute his bill the next term, or to make reparation of honour, as the Lords of the Council shall think fit.\*

The heavy news of the Queen's delivery of child, two months before her time, and that a son, buried the 9th of this month, is, I think, no news unto you. Thus, with my service humbly remembered, I rest

At your lordship's service,

MICHAEL. WENTWORTH.

*This 20th of May, 1629.*

\* A report of this case is in Rushworth, III. Appendix 21.

TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MY LORD,

YOUR servant, John Mawson, hath carefully seen the return of the 50*l.* to Mr. Burlemachi's hands, who hath given us two bills of exchange for it upon sight ; as also the delivery of the several letters which we have sent with the former bill. Mr. Boswill is pleased to write his affections and instructions to your grandson.\* We have spent some time according to your lordship's directions with one Mr. Tennant, to inquire out a fit and serviceable litter for your lordship's purpose. We could find none ready made but flackey litters, wherefore we have taken as speedy a course as we possibly could, as your servant will inform you, who hath left 18*l.* 18*s.* to be disposed to this purpose, if your lordship be pleased to approve of it in the meantime. Your lordship is pleased to mention a controversy betwixt my uncle Birkhead, yourself, and others. I am sorry in remembrance of it : if nothing but title had fallen to suit, the law would have easily moderated, but your accidental circumstances aggravates both in doubt and charge ; I confess my little acquaintance in it makes me ignorant of excuse fit. Leaving that theme, I present to your lordship the present discourse of state. The Earl of Carlisle is to be sent on embassy to the

\* The bills of exchange were for the future Parliamentary General, then in France. Mr. Burlamaqui was a merchant of great eminence, and associated with our envoys in more than one negotiation with foreign powers.—*Howell's Letters*, 225, &c.

Emperor of Germany ; \* Sir Kenelm Digby to the King of Spain, to the Pope, and thence to the Duke of Venice ; the message is supposed to be the restoration of the Palatinate.† And it is generally received that the Marquis of Hamilton proceeds with speed to accompany the King of Sweden, who (as I hear) hath given Tilly a great overthrow, and Tilly in the battle slain.‡ Mr. Briggs, your lordship's old friend and servant, hath lain bed-ridden almost a quarter of a year ; he desired me to intimate that the sight of Denton would prolong his life much, and your lordship's late remembrances were very cordial to him. Dr. Dunne, the late dean of St. Paul's is dead ; Dr. Wemyss succeeds in the deanery, and Dr. Duppa in the parsonage of St. Dunstan.§ The fear of the sickness is not so great as it was, because the

\* This was the James Hay, Earl of Carlisle, chiefly celebrated for his sumptuous expenditure. He had been, before this, representative of England at the Courts of France and Germany. He died in 1636, and persisted in his folly even when death was at his threshold, ordering new clothes, as he said, "to outface naked and despicable death." The embassy on which this letter notes his departure related to the Palatinate.

† This extraordinary man had defeated the Spanish fleet in the Gulf of Venice in 1629, and was now proceeding as envoy with presents, (for the purpose mentioned by Mr. Bladen,) to those potentates to whose religion he became a convert a few years subsequently. His conversion caused an admirable remonstrance to be written to him by Dr. Laud.

‡ The Marquis of Hamilton did join the forces of the King of Sweden ; but the little army of Englishmen he had with him, by losses in the field and hospital, both alike mismanaged, was speedily reduced to two regiments, and he returned home without gaining honour or serving the cause, (the recovery of the Palatinate,) for which our blood and treasure were for so many years lavished.

§ Dr. Duppa was soon after made Vice Chancellor of Oxford, and tutor to the Prince of Wales, afterwards Charles the Second. In succession he was advanced to the sees of Chichester, Salisbury, and Winchester, dying Bishop of the latter see. He attended Charles the First during his imprisonment in the Isle of Wight, and when the Bishop was on his death-bed, even Charles the Second knelt by his side to receive the blessing of his old tutor.—*Wood's Athenæ Oxon.* II. 2701.

numbers do but continue at the same. And now, my lord, I humbly return to my duty ; and after the acknowledgment of your lordship's many favours, this last addition of your bounty of 2*l.* you sent me purchaseth more from me than I have to bestow ; for, be your lordship assured, all I can do is due, and I have no other honour than to be your lordship's humble servant,

J. BLADEN.

*April 8th, 1631.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, AT DENTON, IN YORKSHIRE, THESE PRESENT.

MY LORD,

I HAVE made quest according to your lordship's late directions concerning the addition of arms (supporters) mentioned in your lordship's patent, and find that your patent was under the great seal of Scotland ; so, according to the direction of Sir Richard St. George, your lordship's recourse must be to the heralds of Scotland ; for our English heralds have no dealing therewith. But if it had been under the great seal of England, although Scottish or Irish, Honourable Sir William Segar (Garter) would have undertook to perfect it. Your heralds' fees had been 6*l.* 13*s.* 4*d.* Sir Richard St. George approves of the lion supporters, but with a difference of colour. I am assured by Mr. Tennant and your litter-maker, that your lordship's litter will be ready finished for your use by the return of the same Fletcher that expected it. Tennant much repents him that he employed a man so full of



work and employment, as six weeks' time allowance will not perform his articles.

I have at this time no other news to commend to your lordship than the health of your grandson and those letters ; and the enlargement of your beloved cousin, Mr. Bellasis, which was by subscribing an order tendered to him at the time of his commitment, to this effect : That whatsoever affront he did to the Lord President, it was unwittingly and nowise voluntary, and this he would acknowledge, as well here, under his hand, as in his country. Sir Thomas Gore avoided the danger by protestation.\*

Commending with these my humblest and ever bounden service and prayers for your lordship's health,  
I rest your lordship's servant, J. BLADEN.

*13th May, 1631.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT DENTON.

MY LORD,

THE exceeding great difficulty in procuring this litter to be fitted for this opportunity your messenger can well witness, but I cannot with patience relate to your lordship the solicitation and means we have used ; but having overcome all, I hope it will very well please your lordship.

Yesterday being the last Star Chamber day of the

\* Mr. Bellasis was a grandson of Sir Henry Bellasis, married to Ursula Fairfax, sister of Thomas, first Lord Fairfax of Cameron. The father of Mr. Bellasis had been created Lord Fauconberg. It does not appear for what offence he and Sir Thomas Gore or Gower (see p. 227) had incurred the displeasure of the Lord President Wentworth.

Term, a cause of very great moment was censured there, viz., the Lord Mountnorris, Sir Arthur Savage, a sheriff in the country of Ireland, and one Bushen (whose father being executed upon small or no cause in Ireland), gave out scandalous speeches of the Lord Deputy (Faulkland) that he had unjustly put him to death. Sir Arthur Savage framed a petition to the King against the Deputy, but they were all censured; Sir Arthur 2000*l.* to the King, 2000*l.* to the Deputy; the Sheriff 1000*l.* to the King, the rest acquitted, save Bushen, only with submission; but upon a cross-bill in this business, which is retained in court, it is thought the business will be proved, for much of the circumstances were discovered in this cause.\*

A se'nnight ago Sir Giles Allington for marrying his sister's daughter was libelled against in the High Commissioners' court, wherein he was fined 12,000*l.* to the King, his wife 10,000*l.*, and his father-in-law, Dalton, 1000*l.*; he was bound in a bond of 20,000*l.* never to accompany with her any more.† It may be by

\* The report of this case is given by Rushworth (III., Appendix 36), but the name of Lord Mountnorris does not there appear. It was evidently a conspiracy to secure to a man named Bushen, the property that would otherwise be forfeited to the Crown, upon the execution of his father for murdering his wife. This effort would have been venial; but the unscrupulous means to which the parties conspiring resorted, merited a severe punishment.

† The marriage of Sir Giles Allington to his own niece, repugnant as it is to the divine ordinance, would have been proportionably punished by imprisonment of the parties, and annulling their union. But such a punishment as that inflicted, testifying that courts of justice were debased to offices of extortion for the supply of the royal treasury, loosened more and more the respect of the people and confidence in the constituted authorities. Well might the Rev. Mr. Garrard speak of this to Lord Wentworth as that "horrible fine in the High Commission," when he was mentioning the death of the niece in 1634,—*Strafford's Letters*, I. 359.

this time your lordship hath heard divers reports of the Lord Audley's death ; he seemed to be very penitent, but avowing his soul guiltless of the fact ; inveighing against his wife and children that were his accusers, and so he died. And this hath given cause to some to apologise for him, and excuse, insomuch that some (either through ignorance or partiality) have rendered him guiltless.\* This is a humble present of my ever bounden service I tender, and shall await all opportunities that may further express me,

Your humble servant,

J. BLADEN.

28th May, 1631.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MY LORD,

I HAVE herewith sent your grandson's letters, and an humble petition of my own, grounded upon his reasons, and as sensible of them, although without his privity. The voice of the vulgar is, an exceeding great famine and dearth in France, which is most obnoxious to strangers. His present means only keeps him in meat and lodging, with (scarce) an addition of clothes, much

\* Lord Audley (Earl of Castlehaven) suffered for aiding another to commit a rape upon his wife, Lady Audley, and for an unnatural crime. Unless his wife, his daughter (whom he helped to debauch) and all his servants were perjured, there can be no doubt of his guilt. It is as certain, however, that all the parties were grossly immoral, and that Broadway, who was one of them, and also died on the scaffold, did not exaggerate when he said that Lady Audley was "the most wicked woman in the world."

more of the chargeable exercise of parts, which is the end of his travel and your lordship's expectation. My humble suit, therefore, is that your lordship will be pleased to add a little more to this quarter, which may be abated at a more plentiful time. If not, at the best he can but be a wandering prisoner, debarred the enjoyment of the best of manners. This to your honourable consideration.

I should here continue my occurrents, but the times preventing, I shall but touch to add to your lordship's belief. Magdenburg, a Hanse town of the empire, by reason of their profession were besieged by Tilly, and after two repulses and one fearful treachery, was surprised and burnt, only the monument of a church remaining, and the greatest part of the inhabitants put to the sword. The Marquis of Hamilton is levying volunteers for the assistance of the King of Denmark.

The siege which lately lay before Briges (Brieg ?) is raised, to what end we hear not as yet. But the loss of Magdenburg is generally bemoaned.

It is reported by some of our well-willers that Dr. Moreton, Bishop of Bath and Wells, is very likely to be our archbishop, who, for deep learning and true humanity, deserves such elevation, but certainly his competitor is no other than the Bishop of London, a man very unwilling to leave the Court.\* Dr. Buckerige, late

\* Dr. Montaigne, Archbishop of York, died in the March of 1631. Dr. Morton was too temperate a character for Laud to recommend him as a fit successor. Dr. Neale, Bishop of Winchester, one of his own fiercely resolved partisans for Church ascendancy, and denounced by the late Parliament, was selected for the northern archiepiscopate. Laud himself, at the time Bishop of London, waited for the still higher metropolitan see of Canterbury. He had to wait but two years.



Bishop of Ely is dead. The Lord Falconberg continues still in the Fleet. Thus much and my humble service at this time, always praying for your lordship's health, and ready to be commanded,

Your humble servant,

J. BLADEN.

*June 9th, 1631.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT DENTON, PRESENT THESE.

MY LORD,

THAT I may not neglect my service, and your lordship's just expectation, I have ventured upon a small occasion at this present. As news being the common theme is at this time very barren, so nothing but opportunity is become my subject. Yesterday was the fatal execution of two of the Audley servants, both parties and fellows in his death-deserving fact. The one, Fitzpatrick, died as resolute as his lord. The other (one Broadway), who died for the very rape, blamed much a privy councillor who had examined him, who in the way of his examination, willed him to confess all, and he would procure his pardon (of which he much presumed) ; which, otherwise, he said that all the inquisition in the world should never have forced from him.\* Likewise yesterday the Lord Marquis Hamilton commenced a press for the completing of his

\* According to the statement in Rushworth (II. 102), it was Fitzpatrick who accused a privy councillor (the Earl of Dorset) of entrapping him.

company, after three weeks' summons by the drum, which denotes a great deal of unwillingness of the common people to the Danish service. On Tuesday next all are to be in readiness for present expedition from the Thames. Thus much to your lordship at this time, and my prayers for your lordship's continuance of health and happiness. I rest further to be commanded,

Your lordship's humble servant,

J. BLADEN.

*6th July, 1631.*

Lord Wentworth had married, in 1625, Arabella, the second daughter of the Earl of Clare, and it is while viewing him as a husband and as a parent of the three children she bore him, that the political moralist feels tempted to blot out or soften his sterner condemnation of his lordship as a statesman.\* It is here, in the bosom of his family, that Wentworth demands from us a more than ordinary tribute of admiration, but we record it chiefly, on account of a letter, announcing the particulars of the most painful dissevering of his domestic ties. We have discerned in many of his letters, as well as in those of his friends, passages suggestive that that bereavement was peculiarly painful, but, until we met with the following, we were not aware that he was, most innocently, the cause of his wife's death, whom, even in his memorable contest for

\* These three children were William, to whom his father's titles were restored in 1665; Anne, or "Nan," his favourite, married to the Earl of Rockingham; and Arabella, united to Viscount Mountcashel.

life before the House of Peers, he remembered, with tears, as "that departed saint now in heaven!"

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT HIS HOUSE, DENTON.

MAY IT PLEASE YOUR LORDSHIP,

I WAITED yesternight on my Lord President, whom I found in a very pensive case, and sufficiently sensible of his loss, which at that instant was more stirred by reason of those newly returned that attended the body to its burial, which was embalmed and the child taken out and wrapt beside it, and sent to Woodhouse to be buried. His lordship told me the occasion, much after the manner it was related to you by my brother. The strange fly he brought out of the garden upon his breast unperceived into my lady's chamber, who hastening to wipe it off, it spread a pair of large wings, somewhat fearful to her, at which she stepped back and gave a little wrench of her foot; but my lord did not think that any occasion of her sickness, but rather the fright, not being used to the sight of such vermin. I staid above half an hour with him, and would have staid longer, but that the discourse of his loss bred but his further sorrow, and after I had seen his sweet children, I came away. I presented your service to him, and made known your intentions, had there been any possible means, of coming to wait on him. He gives you many thanks, and said he could not expect it, and did wish me to remember his service. In truth he is much cast down by this great loss, and the whole city generally has a face of mourning, never any woman so magnified

and lamented even of those that never saw her face. There is no certain time known when my lord goes towards London, which will be some day the next week ; in the mean time he settles the businesses here for a longer absence than was intended. I thank God the fear of the sickness is not great here, no house within the walls infected nor doubt of those which are shut up. Our churchmen now conclude that Winchester will be the archbishop.

Your lordship's humble and obedient son,

FER. FAIRFAX.

*York, this 8th of October, 1631.*

TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THOMAS  
LORD FAIRFAX, BARON OF CAMERON, AT DENTON.

MY GOOD LORD,

BUT that I know (by the manifold favours conferred upon me) your honour's noble disposition, I should scarce dare to trouble you with my letters any more, presumption and neglect equally swaying me towards silence. Yet, if your lordship please to know, the averseness of my affairs towards the Court this last spent summer proceeded in a Saturn motion, so slowly and with such fear, that I not only forget my office of dedicating service to my friends, but (which most grieves me) of tendering that sincerity to your honour, which your lordship's goodness and my vows both bound me to. This three months I spent in France, at Paris the most part, though Orleans awhile detained me ; at both which places living not secure from the pest, I devoted a month's time in seeing some of the



King's houses. At Fontainebleau I saw the Court, where was with the King, his Queen, the Cardinal de Richelieu, the Archbishop of Lyons, his brother, and others, but very few of the nobility. He went twenty days ago towards Sedan ; the Monsieur d'Orleans, his brother, some say, is in Lorraine, others in Brabant ; the Queen-mother is there ; which is all the news France enables me to present your lordship. Mr. Fairfax, your lordship's grandchild, is in health, and with some gentleman at Meuse. I inquired of him at his old lodging, near Port Busse, in Paris, where I received the report of his delivery from the small-pox, and welfare. I aimed to have waited on him, but in good faith, I was so afraid of myself, having been too bold in infected cities, that I thought it unfitting to travel to him. My Lord of Pembroke will, I hope, be my friend in an occasion that I go about ; I refer the sequence to God's mercy. Till I may with better confidence report, I will conceal it from your honour ; but not the best and whole part of my service, which I tender to your lordship, and wish I may still live, able (though unworthy) to do your lordship service.

THO. HERBERT.\*

*Strand, November 3, 1631.*

TO THE RIGHT HONOURABLE HIS VERY LOVING UNCLE, THE  
LORD FAIRFAX, AT DENTON, THESE.

MY LORD,

GIVE me leave first to excuse my not writing by your servant Lawson, being absent when he came for

\* Sir Thomas Herbert was connected with the Fairfax family by his father's

my letter. This inclosed is the copy of the King of Sweden's letter to our King. There were slain of Tilly's army above eighteen thousand: but it is not true that Tilly is dead, only hurt in two places, and since, he hath got together above twenty thousand. There were lately six thousand slain by the French King, most of them Frenchmen under the Emperor's colours, supposed to be plotted by the Queen-mother; it is thought troubles will be in France, and I wish you would be pleased to send home for my cousin. Monsieur Vendôme is now at Court, come to see the Queen: she was delivered of a daughter, upon Friday morning last, christened Maria.\* We have no home

intermarriage with the Ackroyds of Foggathorpe, in Yorkshire. It will be seen, by reference to p. 163, that Lord Fairfax's grandson returned to England soon after this, according to the wish expressed in the next and other letters from his friends at this period. Sir Thomas (then only Mr.) Herbert, was one of the Parliamentary Commissioners attached to the army of Sir Thomas Fairfax, yet he was trusted and beloved by Charles the First, of the close of whose life he has left a highly interesting narrative, entitled "*Carolina Threnodia*"—See *Wood's Athenæ Oxonienses*, II. 690.

\* This was Mary, who eventually became Princess of Orange. She was born on the 4th of November, 1631. The event is thus more fully particularised in a letter to Sir Thomas Pickering:—

SIR—Upon Thursday last the Duke of Vendôme, illegitimate brother to our Queen, arrived here from out the Low Countries, and is lodged at Sir Abraham Williams's house.

Upon Friday morning, about four of the clock, the Queen was (God be praised) safely delivered of a princess, who was christened the same morning, by reason it was weak, as some say, it being born three weeks before the time: but I have heard it was done to save charges, and to prevent other christening. The name Marie. The Countesses of Carlisle and Denbigh godmothers, and the Lord Keeper (Coventry) godfather; the Lady Roxburgh, governess; and the nurse, one Mrs. Bennet (some say wife to a baker), and daughter to Mrs. Browne, that keepeth Somerset House.

Your very assured friend and servant,

GEORGE GRESLEY.

*Essex House, the 9th of November, 1631.*

occurrence worth relating ; so, praying for your health and happiness, I take leave.

Your nephew, to do you service,

FAUCONBERGE.\*

*November 7th, 1631.*

TO THE RIGHT HONOURABLE MY NOBLEST FRIEND, THE  
LORD FAIRFAX, AT DENTON, PRESENT THESE.

MY LORD,

YOU would have received my letters by your servant Mr. Lawson, but that he met your business upon the way, and so is returned to London to dispatch it.

There is nothing new, but the Queen's safe delivery of a daughter, who is christened Mary, by the Bishop of Oxford.

The Duke of Vendôme, base brother to the French King, is lately arrived in London, well attended by cavaliers and soldiers, but unrespected by any other, nor any way entertained by our King, but lodgeth at the house of the French ambassador, at his own charge.

There is like to be great stirs in France ; I do heartily wish you would send for my cousin Tom home, or to dispose him some other course out of France.

\* Viscount Falconberg was still confined to the Fleet, for refusing to obey some mandate of the King relative to putting in an answer ordered by the Lord President Wentworth in the Northern Court. Wentworth could never endure anything savouring of disregard to his authority, and writing to the Secretary of State (Lord Cottinton), he begs in a tone of no little rancour, that he may send a serjeant-at-arms for the Viscount, holding out as an inducement that "there was like to be a good fine gotten of him for the King."—*Strafford's Letters*, l. 76.

My service and my wife's presented to your lordship in the old fashion, I humbly recommend you to the protection of our Lord God Almighty, and remain,

Your lordship's true friend to command,

WILLIAM VAVASOUR.\*

*Leadenhall, this 13th of November, 1631.*

TO MY NOBLE AND MUCH HONOURED LORD, THE LORD  
FAIRFAX, AT DENTON.

MY MUCH HONOURED LORD,

I AM sorry the weather hath been so unseasonable as I could not wait upon you according to my desire and engagements, and now I am preparing to go to Mr. Mallory's the latter end of this week (a journey I have been undertaking ever since Michaelmas), so as what I have heard lately from London (which is but little) I present unto your lordship at this time.

It is now confidently affirmed that Tilly is recovered, and that he hath got as great an army as the King of Sweden, and I am persuaded they will not part this winter without another battle. My Lord Hamilton, they say, doeth wonders in Silesia, but the particulars I hear not. It is likewise voiced that the King of France hath routed lately six thousand of the Imperial forces, sent to assist the King's brother in the Franche Comté ; but of this I have no great confidence.

At home there is a strong belief of removals of officers, which I account but a Hollandtide blast ; only this I

\* Mr. William Vavasour, of Haslewood, in Yorkshire, was connected with the Fairfax family, in consequence of his father having married one of the aunts of Lord Fairfax.



believe, that your lordship's noble friend, and mine, my Lord of Newcastle, is not sent for to Court but with an intention to settle him there, near his Majesty's person, or in some place of office before Christmas.\* His Majesty, they say, is resolved for Scotland this spring, and I am verily persuaded he will now perform it.

Your lordship's friends and servants here are all in good health, and present their loves and services to you by the hand of me,

My Lord,

Your lordship's most affectionate and faithful servant,  
H. CLIFFORD.

*Skipton Castle, this 30th of November.*

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD AND MASTER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I CANNOT yet hear any more from Mr. Fairfax but what I had from Mr. Herbert. I hope his letter gave your lordship content, concerning his recovery, for he assures me, that although he did not see him, yet he had the same from a very good hand. The fifty pounds I delivered to Mr. Burlemaqui the same day I came to town, and received from him two bills of exchange,

\* Sir William Cavendish, Earl of Newcastle, and successively Marquis and Duke of the same, was an intimate friend of Lord Wentworth, as well as of Lord Fairfax. He was one of the most accomplished noblemen of the day yet undistinguished for any great success in anything. It has been truly said of him, that he was a better horseman than musician, a better musician than poet, and a better poet than general; yet he played well on some instruments, wrote verses, and commanded the royal army. A few years after the date of this letter he was made tutor to Prince Charles, the King's eldest son.

one whereof I inclosed in Mr. Bladen's letter, which Mr. Burlemaqui undertook to send away with all speed, and the other I put into a packet with your lordship's letter, and sent it the next morning by the French post, which was then going for France. Auditor Fanshawe and Mr. Stapilton came on Saturday, at night, to London. I have been with them both. They have promised to do your lordship the best service they can, but in regard I am informed there hath been some about the same thing, who have been at the Audits Office, and have notes of the former grants, I have gotten Mr. Vavasour to move my Lord Savage (one of the Commissioners for the Queen), with whom he is very inward, and Mr. Proctor hath moved Sir John Finch, who is the Queen's attorney, and one of her Majesty's commissioners ; so that I hope we shall have very fair play. Now, I am to prefer a petition to the Council on Wednesday next, the first day of their sitting this term ; which I shall have answered on Friday following, and fully understand how I shall deal, and upon what terms, and then, by God's assistance, I will be with your lordship the next week, hoping before then Mr. Ellis will be come to London.

The Queen was delivered on Thursday last ; God hath sent her a daughter. There was great rejoicing in the city, and bonfires made in every street. Her Majesty lies-in at St. James's, which was the cause of my Lord of Danby's removing to Cornbury. I have been divers times with my Lord Faulconberg, who hath often promised to write to your lordship, but I cannot yet get his letter. My Lord President came on Saturday night to London, privately. Only Mr. Wandesford met

him.\* Mr. Briggs departed this life a quarter of a year since.

Thus, my lord, I crave pardon if in any thing I have not done according to your lordship's expectation; hoping to give your lordship content at my return, and presenting my humble service, I take leave.

Your lordship's most humble servant,

RICHARD LAWSON.

*From the Rose and Crown, in Grays' Inn lane,  
this 7th of November, 1631.*

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THIS PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I WAS yesterday to attend my Lord President (Wentworth) concerning Mr. Steele's business, but by reason of dispatches of greater matters by Mr. Attorney, who was ready for London, I was forced to attend. In the middle of dinner his lordship came, and as soon as meat was taken away, he hasted to his business, yet upon my importunity to know his pleasure, he was pleased to tell me that the justices in the sessions had proceeded beyond their authority in the censure of Steele, in giving damage to the country; the power of sessions being only to fine to the King, and give corporal punishments, and therefore being done (*coram non judice*) it was in his choice whether he would pay it or no, and not in our power to compel him; adding also, that if we had acquainted his lordship and the rest with our intended proceedings, they would have gone

\* Lord Wentworth was now journeying to Ireland, to enter upon his duties as Lord Lieutenant.

along with us, and enabled us with the strength of that court to have done what we did aim at. He said also the fine to his Majesty was too little; but the chief thing that was offensive, was that in so public and important a business we proceeded without making them acquainted. This with divers circumstances was very moderately urged; to which I answered, that the money to the country was not given by way of fine, nor damage, but a restoring of what himself confessed, and was partly proved, he had cosened the country of; which if he did not voluntarily pay, we had time enough to sue him for it, and seek the just favour of that court. For the other part, of making the Council acquainted and advise with them in public matters, I thought it a most fit course, and would be ever ready to observe it; but to make it a thing of absolute necessity, and solely to depend on their directions had not been formerly done. For my own part, as I had always, so I would continue to give all due respects, and thus we parted.

Though the discourse and reprehension from his lordship was in a most friendly manner, yet thought I it not fit to discover that the directions of the sentence came from the judge. Sir H. Goodrick and Mr. Mauleverer went on Saturday and were mildly reprehended: his lordship told them he had rather have spoke with me than them, which made me expect some tartness from him, but I was deceived. He is at this time much perplexed with many businesses. Mr. Attorney staid yesterday, and was this day, when I came out of town, ready with his wife and Mrs. Rhodes to set forwards at noon, but I cannot assure his going then. Certainly



my lord will not now stay long, for many letters from above hasten him to Ireland, and all business there is at a stand, and put off for his coming; if his own words may be credited, he will be there before Christmas. If my son Charles come to-morrow, we shall be ready to set forwards the next day. I thank God none here hath any sickness. The next day the measles came out they died, and he was with me this journey at York. I hope my son may adventure to come hither, that we may together set forwards. I shall faithfully endeavour to observe your directions, and do humbly desire your blessing on us, ever resting,

Your lordship's most obedient son,

FER. FAIRFAX.

*Knaresborough, this 23rd of October, 1632.*

TO THE RIGHT HONOURABLE MY MUCH HONOURED LORD,  
THE LORD FAIRFAX, AT DENTON, PRESENT THIS.

RIGHT HONOURABLE,

My very good lord, upon consideration of the great amity that formerly hath ever been betwixt my lord and your honour, thereby I am emboldened to take thus much hardiness upon me. And least in the absence of my Lord Wentworth, (who is now upon his journey for Ireland), something might happen in the places where your lands are mixed, that I could not tell how to carry without giving offence either to the one or the other; therefore, to avoid that danger, I am very desirous you may meet together, and I doubt not but upon that meeting you will so agree and settle things betwixt yourselves, that your servants need not to be

troubled with any differences during my lord's absence. Therefore be pleased to understand that upon Wednesday next (God willing) my lord will be at Hawthorpe, and stays there till Friday morning. And if your lordship's health and convenience would serve to see him there within that time, I know my lord would be passing glad to see your lordship, and take it as a great kindness from you. And upon your meeting, I hope some good motion may be made touching Rigton that may serve to both your contents. And truly, the desire I have to do you both service, makes me venture upon this hazard. I will trouble your lordship no longer, but crave pardon for this boldness, and will ever remain,

Your lordship's humble servant at your command,

RICHARD MORRIS.

*York, the 10th of January, 1632. (1633, N. S.).*

In the July of 1633, Lord Wentworth reached Dublin, and it is curious to observe with what determination he entered upon that course of stern misrule, which was continued for more than two centuries, and is now discovered to have been unjust as well as impolitic.

In one of his first despatches, dated August the 3rd of the same year, he says :—"I find them in this place a company of men the most intent upon their own ends that ever I met with, and so as those speed, they consider other things at a very great distance. I take the Crown to have been very ill-served, and altogether impossible for me to remedy, unless I be entirely trusted, and lively assisted and countenanced by his Majesty."\*

\* *Strafford's Letters*, I. 96.

The uncontrolled dictatorship he thus coveted was not withheld from him, and he rioted in it with an iron despotism unparalleled at any other period of the dark page of Irish history. It is quite true that he has been praised for securing to her a well-paid and disciplined army ; for obtaining a bounteous revenue from her to the King ; and for increasing the Protestant Church property by no less an annual sum than 30,000*l*. That he did all this, and that he has been applauded for this harvesting is certain, but the advantage, the temporary advantage, was dearly bought ; the hatred for Saxon misrule which it engendered has been made an heirloom in every cabin of the land.

No better epitome of Wentworth's proud, fierce oppression of that land could be given than in his own letter to the Secretary of State, bearing same date with that from which the last quotation is taken. It tells how he purposed to wring money from the people ; how he dogmatised to the judges ; how he cajoled the military ; and how he browbeat his council. In not one of these did he choose to confide ; for, to use his own words, "the Master of the Rolls (Sir Christopher Wandesford) and Mr. (Sir George) Ratcliff are those whom I only trust on this side ; and do most humbly thank his Majesty that I have them here ; without whom, I see plainly, I should not have been able to have done him service."\* Now, Ratcliff and Wandesford were his own relatives, who had accompanied him to Ireland, and yet, in one short fortnight's acquaintance with Dublin, and Dublin only, he had resolved

\* Strafford's Letters, I. 99.

that Ireland had no other capable and trustworthy councillors.

Within a twelvemonth after Wentworth's arrival in Ireland, Mr. Bladen had occasion to proceed thither, and thence wrote the following :—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, DENTON, PRESENT THESE.

MY VERY GOOD LORD,

SINCE I last waited on you at York, upon some private reasons I entertained a resolution for an Irish journey.

Your lordship shall understand that these are only three weeks' observations. I am not able to give you a survey of the country, nor of the men and their manners ; but what I have therein observed your lordship shall expect it in our next discourse. In the meantime, of the times as they are drawing on to a Parliament.

The natives and the ruder degenerated English have altogether thwarted the expectation of my Lord Deputy, in the election of such Commons as they could possibly find averse to civility and peace ; and certainly, if cause of religion should come in discourse, (as without doubt it will not), the very Commons were too strong for the Upper House. Of the English nobility in Ireland summoned, we conceive they shall by proxies, upon reason, be dispensed with. Great expectation of this Parliament, which invites me to see a week's progress before I return for Yorkshire. My Lord Deputy hath achieved high honours in his respect to justice.



Your lordship hath understood exceeding underminings and extorting of estates, for which here is erected an especial committee for defective titles. A greater grievance is subornation, upon which great estates are decreed away from the innocent ; for a man that can procure a priest to equivocate or dispense with the oath of half-a-dozen deponents, is ground enough for a decree. Herein lately suffered one Sir Nicholas Walsh, a son to a late Lord Chief Justice ; himself, upon discovery in the Star Chamber, fined at 1000*l*, and each of his witnesses as much. Thus much as Deputy.

Now, as Lord General, which are two distinct honours and powers, he is exceedingly careful in the management of his martial course. He takes a course that a sufficient power shall constantly reside in the city here ; and this is by commanding of one horse troop and two foot companies, besides his own horse and foot, shall daily exercise their arms here, the discipline whereof he divers times undertakes himself ; sometimes in drilling, again in his arms skirmishing ; and, certainly, this strikes a terror into the guilty ill-wishers of the State's prosperity. These companies are renewed monthly ; and this course better satisfieth the natives, who bear a continual heart-burning against those troops being selected, men contrary both in religion and manners.

Next my Lord Deputy, the lay-revenue in the Customs and Exchequer relies much upon Sir George Ratcliff, a man exceedingly improved in the state and the affection of officers. The management of religion and that course is directed by Dr. Bramhall, Bishop of Derry ;\* the arms by Colonel Farrar,

\* Dr. Bramhall was another of Wentworth's neophytes. He had been

wherein my lord is exceeding happy that he hath such noble and expert men in their several ways, being himself such an one as hateth an ill-conditioned man, and drinkers, that affect such humours. As he is very severe in the punishment of offences, so is he careful that as well his family as himself shall be exemplar in practice and ambition of good and honourable actions and employments. These envy might have said, and in truth, saving that nature hath not given him generally a personal affability, wherein he seems to those who have suffered by him, in justice or power, implacable ; yet those who are familiar to his discourse, say that he is exceeding noble. He is not forward in the advancements of his servants, having disposed little, as yet, to the most deserving. He hath no favourite but his council, which keeps off curtain and chamber motions, which he detests ; he concludes nothing by petition, but reference, and that to two for the most part. I am too much digressed into a character from a letter. But to return. These being my first lines to your lordship out of this kingdom, afforded me so much matter, that I could not contract myself with any method ; but such as they are, I humbly beseech your lordship to accept, and

Your humble servant,

J. BLADEN.

*Dublin, July 2, 1634.*

Prebendary of Ripon, and was taken thence with him by his lordship to Ireland. He was forthwith made Archdeacon of Meath and Bishop of Derry. He was a learned, able, and intrepid divine.

TO THE RIGHT HONOURABLE THOMAS LORD FAIRFAX,  
AT DENTON, PRESENT THESE.

MY MOST WORTHY GOOD LORD,

THE Commission is already prepared, and Mr. Tomkins adviseth me to repair again to him the next week, which pleaseth me the better in regard that I may have Mr. Benson's advice. I have sent your lordship two pair of stockings; the yellow (which are of five threads) cost eight shillings and sixpence, the other ten shillings and sixpence. Your plush stockings (though often remembered to him before), yet presently I cannot have them: pretending multiplicity of business, the long time he expected in knitting of them. I have his promise to receive them this next week, which, if I may have, they shall not long sleep in London. We have no great news in London. The Marquis St. Chamont (the French ambassador) is returned; his attendance was great, but his message not divulged. I have received of the carrier forty shillings, which makes my other debt of forty shillings the greater; but for both I shall be accountable to your honour, as for many undeserved favours; all which bind me ever to be,

Your honour's most obedient servant,

CHRISTOPHER HERBERT.\*

*London, June 7, 1632.*

\* Christopher Herbert was the father of Sir Thomas Herbert, one of the King's last and most favoured attendants. See p. 239.

TO THE RIGHT WORSHIPFUL AND MY VERY MUCH ESTEEMED  
FRIEND, SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARES-  
BOROUGH, GIVE THESE.

GOOD SIR FERDINANDO FAIRFAX,

I SALUTE you with my best well wishing. My haste at this present will give me no leave to relate to you any novelties. All goes on well, God be thanked, in the King of Sweden's enterprise. God, as it seems, is his protector. This last Courant will relate the last passages.

Our Lord President stays yet, it is said, till a marriage be solemnised between my Lord Treasurer's son and the Duke of Lennox his sister, whose sister is married, as you know, to my Lord Maltravers.\* My Lord Faulconberg doeth nothing, but things stand as they were, which time makes worse in such cases. Thus, with my desire to be remembered to my lord your father, I bid you heartily farewell, in haste, this 11th of June, 1632.

Your assured well-wishing friend,

RICHARD HUTTON.

Sir John Jackson hath prevailed in all against my Lord Saville, who is fined 1000*l*. and much blamed, and the second cause my lord is dismissed and fined 40*l*. Per Judie Clamore.†

\* Lord Treasurer Weston was this year raised to a higher degree in the Peerage, as Earl of Portland. His eldest son Jerome, married Frances daughter of Esme Stuart, Duke of Lennox, soon after this letter was written.

† This Lord Saville seems from these, and other facts already noticed, to have been a man of uncontrollable temper, and leading us readily to believe this character of him, drawn by Clarendon. "He was a man of an ambitious and restless nature; of parts and wit enough, but in disposition and inclination



TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

My Lord President is expected on Saturday night; for the business of his stay, which Mr. Justice Hutton writes of, was certainly consummated on Thursday last. My Lord Fauconberg was expected on Saturday night at Newborough, where my Lady Lister and my cousin Dalton stay to visit him, but I doubt the differences betwixt him and my Lord President, which Bishop Morton (now assuredly of Durham) has earnestly laboured to reconcile and cannot, will keep him hence. My cousin Slingsby is expected on Saturday next at Redhouse. I shall wait on you so soon as the evil ways over the moors will give passage to my weak horses. Craving pardon for my haste at this present, I remain,

Your lordship's humble and obedient son,

FER. FAIRFAX.\*

*Knaresborough, this 20th of June, 1632.*

so false, that he could never be believed or depended upon." The case mentioned in this letter related to more than one person already noticed in these pages, and its details are thus given in the records of the Star Chamber. "Lord Saville purposing to affront Sir John Jackson, though under pretence of preserving the King's game, came armed with more than twenty others, into Materfriston fields, where Sir John and his friends were hare-hunting; they having permission from Mr. Vavasour, in whom was the right of free-warren. Saville addressed Sir John with, "Sirrah, by what authority do you hunt here?" and the reply being, "By Mr. Vavasour's," retorted, "Sirrah, begone, or I will send you packing. I scorn both you and Mr. Vavasour." Lord Saville and his company then drawing their swords, drove Sir John, who was unarmed, out of the field, telling him "A pot of ale was fitter than a sword for him." Lord Saville was fined 1000*l.*, and Grant, one of his attendants, 250*l.*, with such other reparation as the Court might direct."—*Rushworth*, III. App. 46.

\* Mr. (afterwards Sir John) Melton succeeded Sir Arthur Ingram in the

TO THE RIGHT HONOURABLE HIS VERY GOOD FATHER, THE  
LORD FAIRFAX, THESE PRESENT.

RIGHT HONOURABLE,

YOUR lordship may be pleased to be informed by several letters which I have now received from a very good hand, the latter bearing date from London, the 18th of January, that the Earl of Arundel and the rest of the lords were then landed in the Low Countries; the Queen of Bohemia not then ready to come for two months; the Prince Charles of the Rhine gone to the meeting of the electors at Wittenburg in Saxony, with Sir Robert Anstruther attended by 2000 of the States' horse, there to demand his right and establishment in the Palatinate. The King of Sweden's body is at Wittenburg still. The King of Bohemia's at Frankendale. They keep it in hope Heidelburgh will be quit of the Imperialists to bury him there. Wallestein is at Prague, gathering an army if he can; they are weak, and the good party strong. The French King looks about him,

place of Secretary to the Lord President of the Northern Court, and occupied for some months Lord Fairfax's house at York. Dr. Morton, just translated to the See of Durham, succeeded ultimately in adjusting the quarrel between Lords Wentworth and Fauconberg; and the latter attended upon the King at York, when on his progress into Scotland the year following. "My cousin Slingsby" was Sir Henry Slingsby, who had married a daughter of Lord Fauconberg. His estates in Yorkshire were Scriven and Redhouse. At the latter, Charles slept during the progress just alluded to; and the bed in which he slept is still preserved there. On the occasion of this visit races were held on Achombe Moor, the King being present. A favourite racer, belonging to Sir Henry, won the chief prize; and, in memory of the animal, its effigy was cut in stone, by Andrew Karne, the Dutch statuary, and placed in the centre of an area, formed by the moat of the ancient castle at Redhouse.—*Preface to Sir H. Slingsby's Memoirs.*

and will, as is thought, look towards an imperial crown. His mother and brother are so poor at Brussels he fears no new attempts. Cologne is, or will be, besieged ; who commands in chief in that service the relator knew not, but the most part of the forces are the Landgrave of Hesse's. At the Hague they treat again, but the States ask such conditions that those of Flanders dare not yet consent, for fear of the King of Spain. This being the substance of these letters, I have no more but to beg a blessing to

Your lordship's humble and obedient son,

C. FAIRFAX.\*

*January 29th, 1632. (N. S. 1633.)*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, OF CAMERON, PRESENT THIS.

MY LORD,

I AM so much engaged to your honourable remembrances lately by my uncle Herbert, and all other

\* Of this Charles Fairfax, brother to Ferdinando, and therefore uncle to the Parliamentary General, the following notice occurs among the Fairfax MSS., from the pen of Mr. Bryan Fairfax :—

“ Charles Fairfax was born 1595 ; was barrister-at-law in Lincoln's Inn, to which society he bequeathed some excellent manuscripts. He lived many years a peaceable life ; but in the unhappy Civil Wars was tempted to accept a commission of Colonel of Foot, which command he executed with great reputation, being exemplary for courage and integrity, which recommended him to the intimate acquaintance and friendship of General Monk, to whom he stood firm, with his regiment, in Scotland, when the rest of his army wavered. He marched into England with him ; was made Governor of Hull, 1659, which he resigned to my Lord Bellasis, and had a pension settled by his Majesty, Charles the Second, by patent, to him and his heirs, of 100*l.* per annum, out of the port of Hull.

“ He was an excellent scholar, but delighted most in antiquities, and hath left many valuable collections of that kind. He hath left a most exact pedigree of

times, that I must needs accuse myself guilty, and unworthy the continuance of them by seeming in dull idleness to bury them without advantage. I am confident in this though, that none can with more fervour than I do in desires and prayers mediate your lordship's health and quiet, and if my own merit or benefit

our family of Fairfax, which he calls 'Analecta Fairfaxiana,' proved by evidence out of which, I (B—— F——) transcribed what in this book concerns the family: the original being in Denton Library. He died at Menston, December 18th, 1673, ætat. 78."

The following are the extracts from letters relative to German affairs, alluded to by Mr. Fairfax:—

ADVICE FROM GERMANY, COLLECTED OUT OF SEVERAL LETTERS OF THE  
10—20 AND 12—22 OF JANUARY, 1632. (N.S. 1633.)

The present constitution of affairs, since the King of Sweden's death, in Germany stands thus. The Imperialists have taken courage everywhere, both at the Emperor's and Duke of Bavaria's Court. They speak of nothing but war, and of the present reign of the Protestant party; to which end, both by their ministers and letters, all princes and cities are invited to the Emperor's obedience; with promises to some, and threats and scorn to others. Nor is the principal point forgotten. Friedland arms, and gives out new commissions daily. They write that thirty regiments are already levied for him in Austria, Moravia, and Bohemia; and he hath appointed the rendezvous. Bavaria doth also make all possible preparations; and the like do other inferior lords, that were glad to be still before.

Of this the Protestants are not ignorant. The Chancellor Oxenstern hath been many days with the Elector of late, where were present divers other deputies; and after long consultation, as good a conclusion is made as can be wished; for the Elector of Saxe hath engaged himself to pursue the King of Sweden's designs, to revenge his death, and never to treat or make peace with the House of Austria. He hath given out new commissions to raise twelve regiments of men; and eight to continue the war in Silesia, Bohemia, and thereabouts. Gustavus Horn hath taken all Alsatia, except Brisech, which is blocked up, and looked to by the Rhinegrave, and Dalchestein, and Zaberne, which have received garrisons from the Duke of Lorraine, who hath hereby broken his neutrality with the Swedish and French Kings. So now General Horn is going towards Augusta, and is joined already with Bannier and the forces of Wirtemberg,—with all which he intends to oppose the Duke of Bavaria, who lately took in Landsberg from the Swedes, and to punish his country that have broken their conditions made with the late King, and refused the contribution they promised and gave hostage to perform.



of occasion had enriched me in this time, I had not failed to devote my integrity in that kind I know your lordship affects, which is by memory.

I wish I had a present of news worth your participation. In these parts we have many rumours and few truths: the best are these; that that common bruit of great French sea forces is very false. Indeed he has entered the lower Palatinate (where perhaps he intends his rendezvous of his German Wars), has seized on three towns, and it is likely aims at the imperial title, which is opposed by the Protestant princes. In regard of his religion, and that the French are grown too insolent and bloody, Bavaria and Cologne have declared themselves his coadjutors and allies; a league will in the end, many think, prove dear and costly to them.

The Duke of Lorraine is with his uncle the Emperor (who now is in person in the field with his son, the King of Hungary), to whom he fled for safety from his French imprisonment, for which the cardinal, his brother, is put into the Bastile, where with Monsieur

Duke Bernard of Saxe Weimar, general to the late King, is to make war in Franconia. Swaben of Bavaria Kniphausen is sent towards the Treiser; and Gustavus Horn, after this present expedition, is to keep the Rhine. And this general instruction is given to all the commanders—to be in action, and do the best service they can against the common enemy, till things be brought to a more perfect order.

Those of Cologne, their Bishop Elector, and the Duke of Neuberg, are combined, and have taken to their assistance 1100 horse and 3000 foot of Spaniards that had been in Luxemburg, to keep it against the States, with which force and their own they intend to beat Bandison out of his new conquest, who is now in Syberg. But the States have begun to appear in his quarrel, the Collonians having broken their neutrality by taking the Spaniards to their assistance. And the Duke of Bovellin, Governor of Maestrich, is sent with some troops into Luxemburg. The French King also opposes the Spaniards that would have fortified some small places upon the Meuse, in the territories of the Elector of Tryar.

Châteauneuf he complains of the Cardinal Richelieu's deceits and arrogance, who now is at no less height than triumphant in Paris streets in his scarlet coach, red hat, three several corps-du-guard, alters the city, and raises buildings of great ostentation and bravery; Rohan and Du Guise being banished, and Duke d'Epernon reconciled to him since his beating the Bishop of Bordeaux about comparisons. Oxenstern's son arrived this day here in ambassage for the united forces. The Pope's nuncio lately arrived at Brussels with papal power (thereby to please the French king) to disannul Monsieur's marriage with the Lorraine princess, and for his satisfaction was well bastinadoed by four disguised pages of Monsieur's. How the Pope will resent it is questionable, though to us not consequential; but sure it is an affront beyond a parallel, and may well be Monsieur's, who to vex them farther very solemnly remarried her, and loves her dearly. Eight days before Wallestein's death, Duke Bernard of Saxe Weimar had the good fortune to surprise that magazine, where all Wallestein's estate lay, which he became master of in a happy hour, because he scarce lived to deplore his losses.

The Emperor, it seems, fed too liberally upon Wallestein's supposed revolt, aggravated by his Court enemies. It is the nature of tyrants to be cowardly, suspicious, and merciless. Upon the receipt of his letters, the governor of the town (about which Wallestein's army lay) with twenty halberdiers, entered the house where aged Wallestein was privately merry, with only four colonels and four pages. These officers not telling why, or bidding yield, first nailed the general dead to the wall,

and murdered all the colonels and pages, which done, they fled to give account of their Turkish valour to the Emperor, and to receive reward. So soon as Wallestein's army heard of this massacre, they forthwith assailed the town (near Ratisbon), and without mercy slew all they met with. Thus perished this famous warrior, most unchristianly, and when he most expected glory ; the hidden causes of such and like accidents are hid in a labyrinth where mortal ingenuity cannot climb to.

I fear I have presumed too far into your noble patience. Suffer one word more of prolixity compacted in the dedication of your unworthy and

Most faithful to do your lordship service,

THOMAS HERBERT.

*St. James's, 14th March, 1633.*

TO THE RIGHT HONOURABLE THE LORD FAIRFAX, OF  
DENTON, GIVE THIS.

RIGHT HONOURABLE,

My last to your lordship was from London, where I spent the last winter, seeking some money due to me since I was in the service of his Majesty : where, with many friends and much importunity, I got some, gave some, and quitted some, and will rather forget I have more to pretend, than seek it in that manner I see every man must do, that gets anything there. I will name no man, but I think he is something unhappy, that is compelled to be a suitor to the Masters of the Exchequer.

For news in these parts we have not much ; the business of Germany goeth very well in the Upper Part, and for these Lower Parts, as in the lands of Paderborn and Westphalia, our friend the Duke of

Lunenberg, with his own troops, and those of the Landgrave of Hesse, have, some three weeks since, had a very brave victory over the Emperor's troops, under the General Bruixhusen, having beaten all his foot and routed his horse, and in the pursuit of this victory taken in divers towns; the troops did belong most to the Bishop of Cologne, and the Duke of Neuberg. The Palatinate (I mean the Lower) is wholly free, and wants but forces to keep it so, which there were hopes to have had some out of England, but I hear that cannot be granted; the reason I believe your lordship knows, and for me I need not write it, but I hope God will nevertheless provide for his Church. For our estate here, the Prince of Orange is ready to go to the field whensoever the enemy doth but stir; but I believe this year he will hardly be the first, but will be upon the defence of his lately gotten victories, having lately stretched their armies far into their enemy's lands. For our traffick into the West Indies, that company prospers wonderfully, having lately taken in some strong places upon the coast, and goeth forward in arming thither, which I believe will trouble the King of Spain so there, that he will be constrained to employ many of his forces that way. I know not further to trouble your lordship with at this time, but the remembrance of my best service, which is and will be at your lordship's command. I believe your lordship hath heard that my Colonel-General Vere hath resigned his regiment to Mr. Goring, the eldest son of the Lord Goring.

JOHN GIBSON.\*

*Cudwater, the 1st of June, 1634.*

Sir John Gibson served in Ireland after his return from the Low Countries,



Next among the Fairfax MSS. of this period occur two letters from its most distinguished female character, the Countess of Dorset, Pembroke, and Montgomery, whose celebrity imparts to them sufficient interest to excuse their insertion here, and they cannot be better introduced than by this biographical sketch stored up with them in the same MS. collection.

ANNE CLIFFORD, COUNTESS OF DORSET, PEMBROKE, AND  
MONTGOMERY.

This lady was daughter and sole heir of George Clifford, third Earl of Cumberland, by Margaret, daughter of Francis, Earl of Bedford, and was lineally descended from Walter de Clifford, the eldest brother of Rosamond Clifford (called "Fair Rosamond") the mistress of King Henry the Second.

She married—First, Richard, Earl of Dorset, and had issue three sons, who died young ; Margaret, married to John Tufton, Earl of Thanet ; and Isabella, married to James, Earl of Northampton.

Secondly, Philip, Earl of Pembroke, by whom she had no issue. Both these marriages proved unfortunate :

where he had fought under Sir Horace Vere. In the Civil War he acted as a Major General in the royalist army, being taken prisoner at the battle of Nantwich, together with Colonel Monk, afterwards so celebrated as the Duke of Albemarle.

Mr. Goring's appointment, like most other transactions at that period, was made a source of revenue to the Crown. "Young Mr. Goring," says a correspondent of Lord Wentworth's, "hath compounded with my Lord Vere for his Colonel's place in the Low Countries. Twenty-two companies he hath under his command, and his troop of horse. The other companies which my Lord Vere commanded are distributed equally betwixt the three English Colonels—Morgan, Pagnau, and Herbert."—*Strafford's Letters*, I. 166.

her first husband being a man of a licentious life and a negligent husband, continually in contention with her because she never would consent to sell her rights in the lands of her ancient inheritance ; and her second, failing to induce her to marry her youngest daughter, Lady Isabella Sackville, to one of his younger sons by his first marriage, behaved so intolerably towards her as compelled her to separate from him, and on his death, in 1649, finding herself emancipated from the thralldom under which she had so long laboured, her great spirit bounded, as it were, at once to the proper height which nature had allotted to it. She retired to her own superb estates in the north and lived in a princely hospitality.

Skipton Castle and its parish church, with five other castles and mansions of her ancestors, were reduced to ruins during the Great Rebellion ; these she gradually restored to their pristine grandeur and convenience. She rebuilt the church at Bongate, near Appleby, and the chapels of Brougham, Ninekirk, and Mallersteing, and a great part of the church of Appleby, and endowed a fine hospital for thirteen respectable widows. She placed in that town a statue of her beloved mother, and erected a superb tomb to her father at Skipton, also a monument to Spenser in Westminster Abbey, and one to her tutor, Daniels, at Beckenham, in Somersetshire. She also erected a superb obelisk in Westmoreland, the remains of which on the Roman road, called the " Maiden way," is still identified by the name of " Countess Pillar," to mark the spot where, for the last time, she parted with her mother. She also educated and portioned the illegitimate children of her first

husband, the Earl of Dorset. Removing from castle to castle, she diffused plenty and happiness around her by consuming on the spot the produce of her vast domains in hospitality and charity. Her house was a school for the young and a retreat for the aged ; an asylum for the persecuted, a college for the learned, and a pattern for all.

The following energetic and well-known letter was written by her to Sir Joseph Williamson, Secretary of State to Charles the Second, who had presumed to recommend to her a candidate for her Borough of Appleby :—

“ I have been bullied by an Usurper, I have been neglected by a Court, but I will not be dictated to by a subject ; your man shan’t stand.

“ ANNE DORSET, PEMBROKE, AND MONTGOMERY.”

She died at her mansion of Brougham, 22nd March, 1675, aged eighty-five.

The principal members of the Clifford family are interred in the village church of Londesborough, in Yorkshire. Among the rest is a black marble slab, with a Latin inscription, to the memory of Margaret,\* mother of Henry, called the “ Shepherd Lord,” †—date 1442 or 1446.

\* Margaret, daughter and heir of Henry Bromflete, Baron of Vescy, who brought with her that title to the Clifford Family. Her daughter Elizabeth was married to Sir Robert Aske, from whom descended the Askes of Yorkshire and the Lord Fairfax of Denton, in the same county.—*Banks’s Extinct Peerage*, Vol. II. p. 92.

† So called from his being, when about seven years old, disguised in the mean habit of a shepherd boy, to prevent his falling into the hands of the Yorkists ; for the memory of his father was so odious to them, that had he been discovered,

TO THE HONOURABLE THE LORD FAIRFAX, AT DENTON,  
DELIVER THIS.

NOBLE LORD,

I THANK your lordship for your letter and for the examinations of Widow Ramsden, which you were pleased to send me, because she is one of my worthy mother's almshousers. For the examinations, I have here sent them your lordship back again ; and for the business itself, I will neither meddle one way or other, but leave it to God in Heaven, and law and justice on the earth. It is true, that I am very sorry any of that house should be accused of so foul a crime, but if she be guilty let her suffer, in God's name ; if innocent, my trust is that through Providence from above, and your goodness and wisdom in this world, will acquit her.

And so I rest,

Your lordship's assured friend,

ANNE PEMBROKE.\*

*Whitehall, this 14th of May, 1634.*

they would have revenged with his blood the death of the young Earl of Rutland, murdered by his father. In this manner he lived, deprived of his lands and honours, for the space of twenty-four years, without any education—even so much as learning to write—for fear of discovery ; but in the first year of Henry the Seventh he was restored, in blood and honours, to all his baronies, lands, and castles. He was afterwards, in Henry the Eighth's reign, a principal commander in the great victory obtained at Flodden field, where the King of Scotland was slain. When called to Parliament, he behaved nobly and wisely ; but delighted to live in the country. He died the 15th of Henry the Eighth.—*Banks's Extinct Peerage*, Vol. II. p. 92.

\* This letter, though on a trivial subject, is inserted on account of its energetic style, which coincides so much with that of the more brief and celebrated note to the Secretary of State, on the genuineness of which Mr. Lodge ventured to cast a doubt. The Almshouses were founded at Skipton, by the Countess's mother.



TO MY ASSURED FRIEND, MR. CHARLES FAIRFAX, AT HIS  
HOUSE AT MENSTON, IN YORKSHIRE, DELIVER THESE.

SIR,

THIS day I received your letter of the 29th of the last month, wherein you tell me that Mr. Waterton hath at length finished the drawings of the landscapes of Skipton Castle and of Bardon Tower, but I have not received either of those landscapes, in which I pray you earnestly to take some care in searching diligently what is become of them, that so I may have them safely delivered to me ; which, when it is done, I will send the gentleman, Mr. Waterton, whatsoever you shall think fit, and I pray you, in your next letter, write me word what you think is fit for me to send him. I will do my good-will to your eldest daughter, might I do her any good, or to any of your other children, for I acknowledge myself much obliged to you, which I will study to requite, and so I rest

Your assured true friend,

ANNE PEMBROKE.

*Brougham Castle, this 3rd of November, 1646.*

Mr. Benjamin Kent came hither to me, and Isabella,\* the 26th day of the last month, but brought no money out of Craven to us, as I imagine you know beforehand. When I had only done writing of this letter, so far as this, did I now receive the survey of Skipton and Bardon Tower, for which I pray you give Mr. Waterton

\* Lady Isabella Sackville, her daughter by the Earl of Dorset.

what you think fit, and write me word what you have given him, and I will send it you again.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD,  
THOMAS, LORD FAIRFAX, AT HIS LORDSHIP'S HOUSE AT  
DENTON, THESE PRESENT.

RIGHT HONOURABLE MY VERY GOOD LORD,

HAD I more time than the messenger's haste will afford me, yet wanted I both matter and words to express my thankfulness for your many favours, of which this is not the least, by your letters to commend me to these noble personages ; I shall not fail, be God willing, to deliver your lordship's letter to Mr. Fenton, being happy if in anything I may be serviceable unto your honour. Here at York it is reported Mr. Littleton is Attorney ; the Lord Chief Justice and the Master of the Wards both dead.\* Great distractions and divisions in Germany amongst the Princes, and the victories of the Imperials by their divisions ; but I hope of better

\* Neither of the reports that Chief Justice Heath was dead, or that Mr. Littleton was thus promoted, proved quite correct. The Chief Justice was only judicially dead, being discharged from his office because it was known he would not sustain the wishes of the Court by supporting the legality of Ship-money. Sir John Finch was promoted to the vacancy thus caused,—the Attorney General, Sir John Banks, not desiring to give up his office, to which he had been appointed but a few days previously. Mr. Sheldon, "an old, useless, illiterate person," was removed from the Solicitor Generalship, into which the Duke of Buckingham had thrust him, and Sir Edward Littleton succeeded him ; —Littleton, the friend of Selden, and the patriotic sustainer of the "Petition of Right." He was lured away from the popular party by the offer of a Welsh Judgeship, a bait which was found too tempting for the virtue beneath more than one wig in Westminster Hall during the 17th century.

things, and that the Lord will still maintain His own cause ; and so praying for your lordship's health, with my due and true respect unto your honour, I rest,

Your lordship's devoted servant,

W. SHEFFIELD.\*

*Poppleton, this 12th of September, 1634.*

\* The Hon. William Sheffield was fourth son of the Earl of Mulgrave.

## CHAPTER VII.

The King procrastinates his visit to Scotland—Sends for Scotch Regalia—Compliance refused—Ominous Message—Resolves to proceed thither—Noblemen attending to be at their own charge—Preluding Proclamation—List of “Gests”—Nobles attending—Laud joins the King—Hospitality on the road—Letters of Sir J. Melton, Sir Arthur Ingram, Lord H. Clifford, Viscount Fauconberg—Various preparations—Ruinous magnificence at Welbeck—Earl of Newcastle to Lord Wentworth—King enters Scotland—Pageants at Edinburgh—Coronation—Laud’s interference—Lord Fairfax summoned to Scotch Parliament—Form of appointing proxy—Parliament assembles—Lords of the Articles—Acts passed—Act for regulating Kirk-men’s apparel—Charles’s conduct in the House—Earl of Rothes disputes the vote—Petition prepared—Lord Balmerino tried for leasing-making—Conduct of Jury—Balmerino pardoned—King leaves Scotland—Letter of W. Sheffield—Legal official changes—News from Germany—Sir Robert Heath—Sir John Finch—Sir John Banks—Sir E. Littleton—Sir E. Herbert—Sir F. Fairfax proposed in marriage—Sir H. Vere—Letters of Sir W. Constable—Negociations with Lady Vere—Letter of Sir F. Fairfax—Lord Houghton—Letters of Sir W. Constable, Lord Fairfax, Sir F. Fairfax—The marriage celebrated—Letter of Sir F. Fairfax—Death of a favourite Servant—Letters of Lady Vere—His son’s illness—Letter of Sir F. Fairfax—Illness abating—Lady Vere—Lady Fairfax, her daughter—Letter of Lady Vere—Increasing illness of Sir T. Fairfax—The Prince of Wales—Sir Thomas Fairfax’s extravagance.

THE King’s purpose of visiting Scotland has been more than once alluded to, but it was not until the May of 1633, that he was enabled to fulfil that intention.

It would be fruitless to trace out the causes of the delay, but it is important to discern the reasons which now impelled Charles to visit the land of his birth. The two countries had not been amalgamated by the union



of the Crowns, but on the contrary the Scotch, always sensitive to any intimation of England's superiority, were now more than ever jealous of any apparent demonstration of preference. They felt the injurious consequences of their countrymen being attracted away to a southern Court, and the Highland blood of all the clans was up, when the long protracted delay suggested that their unseen sovereign cared but little for an opportunity to diminish that estrangement. He had been so ill-advised, as to propose that the Scotch regalia might be removed to London, and that there the coronation ceremony might be performed; but the proud and monitory reply of the Keeper of that regalia, silenced for ever the suggestion. "He dared not betray his trust," he said, "but gladly would the King's native people bestow the Crown upon him in their own land, and if that Crown were not worth a progress, some other way might be found for its disposal." \*

The bare suggestion of a possible competitor was enough to urge the King to visit his northern kingdom, but the tongue of calumny, if calumny it was, had gone further, and named the Marquis of Hamilton as the man to whom the crown might be transferred. It is true that Lord Ochiltrie had been condemned to perpetual imprisonment, for asserting that such a proposal was suggested; but, even if that sentence were just, the thought, the dangerous thought, had been promulgated.

This, however, was not the only motive for the King's resolution to set out for Scotland to be crowned in Edinburgh. Laud was his chief and most heeded

\* Archdeacon Echard's History, I. 102.

adviser, and Laud had other projects in view. This Thomas à Becket of his century, had for one great object of his political life the aggrandisement of the Church, and the concentration of power in the hands of its clergy.\* It was always upon his mind; in every possible mode he made it his end and aim; but it is well for England that his design was thwarted and frustrated, for a Church with political power is always a persecuting Church; and miserably unfortunate was it for Charles that he struggled to give to the Ecclesiastical hierarchy power in opposition to the people of every portion of his dominions. This combination of the Church and Crown against the constitutional liberties of the people—for both sought for additional power independent of all popular control—involved them in one and the same ruin.†

\* Clarendon condemns whilst he defends him in these sentences. "Laud did really believe that nothing more contributed to the benefit and advancement of the Church, than the promotion of Churchmen to places of the greatest honour, and offices of the highest trust. This opinion, and the prosecution of it (though his integrity was unquestionable, and his zeal as great for the good and honour of the State as for the advancement and security of the Church) was the unhappy foundation of his own ruin, and of the prejudice towards the Church, the malice against it, and almost the destruction of it."—*History of the Rebellion*, I. 66.

† The objection to Ecclesiastical State-officials, and to political power being added to their other influence, has been wisely and irrefutably raised by some of the best friends of an Established Church. Even Lord Napier of Murchison, one of the most able of Charles's Scottish friends, has left this opinion upon the point:—"That Churchmen have competency is agreeable to the law of God and man. But to invest them into great estates, and principal offices of the State, is neither convenient for the Church, for the King, nor for the State. Not for the Church, for the indiscrete zeal and excessive donations of princes were the first causes of the corruption in the Roman Church, the taste whereof did so inflame the avarice and ambition of the successors, that they have raised themselves above all secular and sovereign power, and, to maintain the same, have obtained to the world certain devices of their own for matters of faith. Not to Kings, nor to States, for historians witness what troubles have been

Laud was too violent, too narrow-minded, and, therefore, too obstinate to be warned that the age was past, when the people could be treated as mere serfs of the Church or of the Crown. Opposition made him only the more determined, and the thought of his heart and the energy of his purpose, never appeared more plainly than in his letters to that kindred spirit—Wentworth. In one, written at this time, he says “As for the Church, it is so bound up in the forms of the common law, that it is not possible for me, or for any man, to do that good which he would. And for the State, indeed, my lord, I am for *Thorough*, but I see that both thick and thin stays somebody, where I conceive it should not; and it is impossible for me to go *thorough* alone.” \*

There can be no mistake as to the meaning of his watch-word “*Thorough*,” and he strained every influence not to be “alone” in his effort for the establishment of the great political change he desired. He had in Ireland, Strafford, Archbishop Bramhall, and Dr. Webb, diocesan of Limerick, all exerting themselves to increase the power and patrimony of the Church. In Scotland he had Archbishop Spottiswood made Lord Chancellor, and with the Bishops of Ross, Galloway, Dumblane, and Aberdeen, Privy-councillors, and most esteemed advisers for conducting the affairs of that kingdom. In England he was himself Prime Minister, his tool Windebanke was Secretary of State, and Dr. Juxon

raised to Kings, what tragedies among subjects, in all places where Churchmen were great. Our Reformed churches having reduced religion to the ancient primitive truth and simplicity, ought to beware that corruption enter not in their Church at the same gate, which already is open with store of attendants thereat to welcome it with pomp and ceremony.”—*Napier MSS.*—*Napier's Life of Montrose*, 37.

\* Strafford's Letters, I. 111.



he had placed in the office of Lord Treasurer.\* The consequences of all these clerical promotions to political offices are told by a clergyman when writing to Lord Wentworth. He says — “The clergy are so high here since the joining of the white sleeves with the white staff, that there is much talk of having as Secretary (of State) a bishop, Dr. Wren, Bishop of Norwich; and as Chancellor of the Exchequer, Dr. Bancroft, Bishop of Oxford. This comes only from the young fry of the clergy, little credit is given to it, but it is observed they swarm mightily about the Court.” † And the reason is quite apparent, for Laud aimed not only to place the dignitaries of the Church in the highest offices of the State, but to confer minor employments also upon those connected with ecclesiastical affairs. “I hear,” says the same correspondent, “that the Archbishop of Canterbury, for the good of scholars professing the civil law, hath obtained of his Majesty that the Masters of Requests, for the future, shall be all Doctors of the Civil Law; as also, that eight Masters of the Chancery shall be always of that profession.” ‡

Laud kept the same intention in view when attending his royal master into Scotland, and this crusade to force Church dignitaries and its rituals upon an unwilling, proud, and hardy people, hastened both King and prelate to their death.

The King and his courtly retinue left London for Edinburgh on the 11th of May, 1633, and in Lord

\* When Laud had succeeded in getting Juxon into this high office, he made this gratulatory note in his Diary—“March, 6 (1636). No Churchman had it since Henry the Seventh’s time. And now, if the Church will not hold up themselves, under God, I can do no more.”

† *Strafford’s Letters*, II. 2.

‡ *Ibid.*, I. 176.



Fairfax's handwriting we have the following memorandum of the stages and number of days of rest at each place during the progress. It is entitled

"THE GEST OF HIS MAJESTY'S PROGRESS INTO SCOTLAND."

May, 1633.	Saturday, .	11, .	to Theobalds, .	. 2 days
,,	Monday, .	13, .	to Royston, .	. 1
,,	Tuesday, .	14, .	to Huntington, .	. 1
,,	Wednesday, .	15, .	to Applethorp, .	. 2
,,	Friday, .	17, .	to Burley by Stanford, .	1
,,	Saturday, .	18, .	to Grantham, .	. 2
,,	Monday, .	20, .	to Newark, .	. 1
,,	Tuesday, .	21, .	to Worksop, .	. 2
,,	Thursday, .	23, .	to Doncaster, .	. 1
,,	Friday, .	24, .	to Pomfret, .	. 1
,,	Saturday, .	25, .	to York, .	. 4
,,	Wednesday, .	29, .	to Ripon, .	. 2
,,	Friday, .	31, .	to Ask, .	. 1
June.	Saturday, .	1, .	to Durham, .	. 2
,,	Monday, .	3, .	to Newcastle, .	. 2
,,	Wednesday, .	5, .	to Bottlecastle, .	. 1
,,	Thursday, .	6, .	to Alnwick, .	. 1
,,	Friday, .	7, .	to Gillingham, .	. 1
,,	Saturday, .	8, .	to Berwick, .	. 4
,,	Wednesday, .	12, .	to Dunglass, .	. 1
,,	Thursday, .	13, .	to Seaton, .	. 1
,,	Friday, .	14, .	to Edinburgh, <i>during pleasure.</i>	

The attendance upon his Majesty was very large, despite the warning given with each invitation, that the charge of each nobleman and his retinue must be from his own private exchequer. To mitigate this heavy expense, but without any regard to its being an arbitrary interference with the trader's rights, a proclamation was issued a week previously, in which, after a preamble not at all complimentary "to the intolerable

avarice of bakers, brewers, innholders, butchers, and sellers of victuals," it was ordered that no prices should be paid to them above those determined "by the clerk of the market of the King's household."\* Notwithstanding this, and another proclamation for regulating the procurement of lodgings, the expense to each individual was enormous; the whole Progress from the first setting out until its conclusion being "with the greatest magnificence imaginable." "Feasting," says Clarendon, "was then carried to a height it never had attained before, and from whence it hardly declined afterwards, to the great damage and mischief of the nation in their estates and manners. All persons of quality and condition who lived within an available distance of the northern road received the attendant nobility with a becoming hospitality, no expense being spared to make their entertainments splendid and their houses capable of those entertainments."†

This emulation in display required a long previous preparation in the households of a gentry whose country-galas had never before exceeded a christening festival and a rent-audit. The consequent arrangements and appointments are illustrated by the following letters:—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD THE LORD  
CAMERON, AT HIS HOUSE, AT DENTON, GIVE THESE.

MY VERY NOBLE AND GOOD LORD,

At the King's now coming to York, I do expect  
divers of my worthy friends to lie at my house, and the

\* Rushworth, II. 177.

† Clarendon's History, I. 61.

season of the year falleth out so ill, as I know not how to get any good provision for them. By which means I am driven to make use of my good friends, amongst which presuming of your lordship's love and noble favour towards me, hath made me thus bold to write these few lines unto you. I do entreat your lordship to help me with some herons, of which I hear your lordship hath great store, and if I cannot requite your noble favour herein I shall ever most thankfully acknowledge the same, and shall ever remain your lordship's faithful servant to love and honour you,

ARTHUR INGRAM.

*York, this 7th May, 1633.*

As your lordship will be pleased to favour me in this my request, I desire I may have them so soon as your lordship with conveniency can do it, for that I would gladly feed them to make them somewhat fat against the time.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD THE LORD  
CAMERON, AT DENTON, THIS DELIVER.

MY VERY GOOD LORD,

I DID of late write a letter unto your lordship, entreating your friendship to help me to a few of herons, and now upon an unhappy accident that is befallen my second son I make bold to be troublesome to you in another suit; so being here near Leeds at his father-in-law, Mr. Hepton's, who taking a journey towards London, my son was desirous to bring him part of his way, and in his going with him

his horse fell with him, and hath very shrewdly bruised him. Now we have a great desire to have come to York to be near some good counsel for him, and he is neither able to go in a coach nor a horseback. But I hope he could well endure a litter, and knowing that your lordship hath one, maketh me bold to be an humble suitor unto you to lend me yours, which I shall take as a special favour ; the which if I cannot requite I shall with all thankfulness acknowledge the same, and so I rest your lordship's faithful servant to command,

ARTHUR INGRAM.

I must entreat your lordship for your man and horses.

LORD FAUCONBERG TO LORD FAIRFAX.

MY LORD,

I SHOULD not have forgot my respects, either in seeing or sending, but that Sir Ferdinand promised to make my apology ; and now I desire to be excused for waiting upon you till I have first waited upon the King. I pray you let me know when and where you purpose to meet him, that I may accordingly set my occasions for us both to go together. So hoping to know your resolution by this bearer, I take leave this 7th of May, 1633.

Your nephew, ready to serve your lordship,

FAUCONBERG.



TO THE RIGHT HONOURABLE MY MUCH HONOURED LORD,  
THE LORD FAIRFAX, AT DENTON.

MY MUCH HONOURED LORD,

SINCE I saw your lordship, I have not received a letter from London, so as I cannot write you any news, foreign or domestic.

I pray your lordship be pleased to send your black horse to your own house at York, by your own groom, to-morrow se'nnight, that my saddle may be fitted for him there in time ; and I beseech your lordship likewise, to lend me your house and stable at York, to lodge in while the King stays there, and if there wants furniture for two chambers (for myself and my Lord Wharton), we will provide it, and also lay in provision into your stable. Good, my lord, return me your pleasure by this bearer, because the time comes on apace, and if your lordship cannot with convenience afford me this favour, I may provide me as well as I may otherwise. I pray your lordship, make known to Mr. Fairfax that I desire his man Mason may bring my mare to York, which he hath now at Denton. And thus, with my humble service to your good lordship, I rest, in haste,

My lord, your lordship's most faithful servant,

H. CLIFFORD.

*Londesborough, this 13th May.*

TO THE RIGHT HONOURABLE THE LORD FAIRFAX, MY VERY  
GOOD LORD, PRESENT THESE.

MY NOBLE LORD,

IF I have of late been wanting in good manners towards your lordship, I beseech you impute it

unto the occasions which have necessitated my long absence from hence, and not unto my will. Mr. Vanpams, who lived in my Lady Bellasis' house, is now, with much ado, removed thence, and by the end of this week I hope to be settled there with my family. So that if your lordship be pleased any time the next week, to appoint any one of your lordship's servants to receive such things as were left here, I hope I shall leave both them and the house not much impaired; but whithersoever I go, the obligations which I have unto your lordship for your noble favour, must go with me; and in the acknowledgment thereof I shall be ever ready to serve your lordship in anything I may. That noble Earl, whose father loved your lordship very well, will lodge at my house while his Majesty is here at York; and if your lordship and Sir Ferdinando Fairfax do then come unto this town, I hope you will be pleased to see him, and the rather for that his lordship will be lodged in a house where the poor tenant of it will bid you very welcome.

For the present I will trouble your lordship no further, but take my leave, and rest

Your lordship's most humble servant,

JOHN MELTON.\*

*York, this 29th April, 1633.*

The "Protestant nunnery" at Giddon, in Northamptonshire, was too much in unison with one of Laud's

\* Sir John Melton had succeeded to the Secretaryship of the Northern Court, and several of his letters are among the Fairfax MSS., requesting permission to rent from Lord Fairfax his house at York, until one purchased by Sir John was ready for his reception. Lord Fairfax lent him the house gratuitously, and there are more passages than one in the letters demonstrating that his lordship was no loser by the courtesy.

objects, the extirpation of Puritanism, for him not to induce the King to diverge a little to visit this approach to Popery without the abandonment of Protestantism. The octogenarian foundress, Mrs. Farrar, was a widow, who, as she said, "had bid adieu to all the fears and hopes of this life, and only desired to love God." This she endeavoured to evince by admitting into her house ladies who would adopt her rules of frequent prayer, restricted diet, and repeated genuflexions before her altar, with its "crucifix and candles of white and green wax." There were these rules, however, which withdrew the Institution from the laborious idleness, and doomed withering seclusion, of monasticism: the ladies were encouraged to adopt some occupation beneficial to their fellow-creatures, and if desirous of marriage, enjoyed perfect "liberty to depart."\*

To repeat descriptions of all the festivities which greeted the King during his Progress would be wearying as well as useless. We have noticed some of these doings at Sir H. Slingsby's; and we have a few other particulars of a portion of the Progress still further north, in the following memorandum from the Mickleton MSS.

"About the 13th of May, 1633, he (the King) came to York, where he staid four nights. Richard Neale, then archbishop, who was of the King's council, entertained his Majesty at dinner at Bishopthorpe; where he knighted his son, Sir Paul Neale, and Mr. Allenson, then Lord Mayor of York, and William Bell, the Recorder, also. In his way to Durham, he was entertained at Raby Castle by Sir Henry Vane, and from

\* Rushworth, II. 178.

thence came, on Friday the last of May, to Auckland Castle, where he was entertained by Bishop Morton. The next day, Saturday, 1st of June, he came to Durham, where a way was made through at Elvet Head, that he might ride through into the city ; and there he mounted his horse, and was met by Sir William Belasyse, high sheriff, and the gentlemen of the country, who gave all the sheriff's livery, two hundred men ; viz., ash-coloured cloth lined with red baize and plush capes, four fingers broad, and two broad silver laces. As soon as his Majesty alighted, he went first to the Abbey Church, before he went to the Castle ; a canopy of state was borne over him by eight prebendaries into the church, where he staid service ; and a speech was made to him by Dean Hunt. Then his Majesty went to the Castle ; and on Sunday morning heard a sermon at the Abbey from the bishop, where none were admitted but his nobles, the clergy and choir. After service, he dined at the Deanery at the bishop's charge ; where his Majesty had a cope that cost 140*l.*, belonging to the church, presented to him. Then he attended evening prayer, and after went to the Castle, where he kept his Court during all the time he was at Durham, and did touch divers for the King's Evil. Dr. Cosins, one of the prebendaries, was sworn one of the King's chaplains : and on Monday morning his Majesty went to Newcastle, &c. The nobles attending the King, were the Duke of Lennox, the Earls of Newcastle and Suffolk, Cumberland, Pembroke, Northumberland ; Lord Treasurer Weston, Lord Wharton, Lord Grey of Chillingham, the Earls of Salisbury, Cleveland, Southampton, Northampton, and Holland ; Dr. Laud, Bishop of London ; Dr. White,



Bishop of Ely ; the Scotch Marquis Hamilton, and Lord Bothwell."\*

At Raby Castle, the seat of Sir H. Vane, and elsewhere, the welcomings were of no mean cost, but the greatest magnificence was displayed at Welbeck, by the Earl of Newcastle. "There," says Clarendon, "both King and Court were received in such a wonderful manner, and in such an excess of feasting, as had scarce ever before been known in England, and would be still thought very prodigious, if the same noble person had not, within a year or two afterwards, made the King and Queen a more stupendous entertainment ; which (God be thanked), though possibly it might too much whet the appetite of others to excess, no man ever after in those days imitated."† It was ruinous to the accomplished and munificent Earl, for we have this confession from him to Lord Wentworth, in a letter dated in the August of the same year : "I have waited of the King during the Scottish journey, both diligently, and, as Sir Robert Swift said of my Lord Carlisle, it was no small charge unto me. I cannot find by the King, but he seemed to be pleased with me very well, and never used me better or more graciously ; the truth is, I have hurt my estate much with the hopes of it, and I have been put in hope long, and so long as I will labour no more in it, but let nature work and expect the issue at Welbeck, for I would

\* Gentleman's Magazine, LXXXI. 99.

† Clarendon's History, I. 61. The expense of these entertainments, which Clarendon, as a Court favourite, naturally viewed with so much interested dislike, was certainly enormous. That at Welbeck cost between 4000*l.* and 5000*l.*, and that "a year or two" later, at Bolsover, induced an expenditure of 15,000*l.*

be loth to be sick in mind, body, and purse. Children come on apace, my Lord, and with this weight of debt that lies upon me, I know no diet better than a strict diet in the country, which, in time, may recover me of the prodigal disease."

On the 12th of June the King crossed the Border; and here the English officials resigned their duties to be performed by other noblemen who held the same appointments in the Court of Scotland. These officers of state, emulous of those to whom they succeeded, endeavoured to equal them, not only in the zealous performance of their duties, but also in the splendour of their appointments and pageants.

Nearly all the peers of Scotland were assembled near Berwick to receive Charles upon his entrance into Scotland, and with them were the Border gentry, including those of Teviotdale and the Lothians. Most distinguishable among these were the clansmen of the Earls of Howe, "six hundred of the Merse, or Berwickshire gentlemen, in green satin doublets and white taffeta scarfs." \*

On the 15th of June the King entered Edinburgh, with the usual formalities, and much more than the usual display of pageants—displays of all the kings of Scotland who ever reigned, even in fabulous history;—displays of the Muses, and delivery of versifications, which those who delight in such fulsome nonsense will find, "all printed amongst the poems of Mr. William Drummond, of Hawthornden." †

\* Rushworth, II. 180.

† The pageants did not cost the city of Edinburgh less than 3500*l.*—*Reg. of Town Council*, XIV. 329; *Arnol's History of Edinburgh*, 103.

On the 18th the Coronation was performed, a ceremony rendered not so agreeable as it might have been to the people, by being arranged and ordered by Laud. Scotland had her heralds and her Lord Chamberlain, but the officious prelate superseded them. He has left recorded in his Diary: "June 18, King Charles crowned at Holyrood Church, in Edinburgh.—I never saw more expressions of joy than were after it." But during its celebration, the following circumstances, among others, could not have conduced much to amicable feeling. So determined was the hatred towards Episcopacy, that some of the bishops performed the duties of their office without wearing the obnoxious surplice. Of this number was Dr. Lindsay, Bishop of Glasgow. He appeared without his embroidered canonicals at the Coronation, and being about to occupy his allotted place, Laud thrust him away, with the taunt—"Are you a churchman, and want the coat of your order!" \*

To the Parliament, which was summoned to assemble immediately after the Coronation, Lord Fairfax, as Baron Cameron, was summoned to attend.†

\* Rushworth, II. 182.

† It does not appear that he even confided his proxy to any one, for the following form of such appointment is among the Fairfax papers, but without any proxy's name filled in :—

"OMNIBUS ad quos fidelibus hoc presens scriptum pervenerit : Thomas Dominus Fairfax de Cameron, salutem. Noveritis me, prefatum dominum, Thomam Fairfax, per licentiam Serenissimi Domini Nostri Regis, à presenti hoc suo Parlamento tenendum apud Edenburgum, in regno Scotiæ . . . . die mensis Junii prox futuro sufficienter excusatum abesse,—nominare, ordinare et constituere, dilectum mihi inexpresso prænobilem et honoratum virum . . . . meum verum, certum, et indubitatum factorem, actorem, attornatum, seu procuratorem, per presentes. Eidemque procuratori meo, dare et concedere plenum auctoritatem et potestatem, pro me et nomine meo, de et super quibuscunque

On the 20th of June the Parliament assembled, and after a sermon from Archbishop Spottiswood, and a speech from the King, its members proceeded to choose from among themselves that peculiar body or committee named, "the Lords and Members of the Articles." This committee was composed of eight ecclesiastics, eight of the superior nobility, eight barons, and eight burgesses ; the noblemen electing the clergy, and the clergy electing the noblemen ; the clergy and nobility thus elected then electing the barons ; and the clergy, nobility, and barons thus elected, electing the burgesses. The thirty-two members thus chosen, joined with the State-officials, prepared such Acts of Parliament, as, in their judgment, appeared to be requisite, and these were rarely objected to by the aggregate body of the Parliament.\*

On the present occasion they submitted for approval, on the 28th of June, thirty-one public Acts, and, with but two exceptions, these were added, without opposition to the Statute Book. The Scotch had not yet been schooled into the adoption of those tactics, so calculated

*causis et negotiis in dicto Parlamento, exponendum seu declarandum, tractandi tractatibusque hujusmodi inibi factis seu faciendis, consilium nomine meo impendendum. Statutisque etiam et ordinationibus quem ex maturo et deliberato judicio dominorum, tam spiritualium quam temporalium, in eodem Parlamento congregatorum, inactari seu ordinari contigerint, nomine meo consentiendum, eisque (si opus fuerit) subscribendum. Cæteraque omnia et singulaque in premissis necessaria fuerint, seu quomodolibet requisita, faciendum et exequendum in tam amplis modo et formâ prout ego ipse facere possem aut deberem, si presens personaliter interesssem. Ratum et gratum habens et habiturus totum et quicquid dictus procurator meus statuerit aut fecerit in premissis. In cujus rei testimonium presentibus subscripsi sigillumque meum opposui. Datum XXVII. die mensis Maii, anno regni domini nostri, Caroli, Dei gratiâ, Angliæ, Scotiæ, Franciæ et Hiberniæ, Regis, Fidei Defensoris, &c., nono : Annoque Domini, 1633."*

\* Rushworth, II. 182.



to ensure power, which the popular party in the English legislature had brought into operation. The very first Act passed by the Scotch Parliament, granted a liberal supply to the King for six years : the English Parliament would have postponed its adoption until others had been modelled more in accordance with their wishes, and would have given but for one year.

The first of the two proposed Acts which met with opposition, had been artfully prepared, so as to include an acknowledgment of the royal prerogative as enjoyed by Charles's predecessor, and recognising his authority to regulate "the apparel of judges and kirkmen." Lords Rothes, Loudon, Balmerino, and many others, wished this Act to be divided into two Acts, for they were willing to assent to its first clause, whilst they were opposed to the royal interference with the vestments of the clergy. This was not a factious proceeding, but was at once rising, backed as they were by all Scotland, to protest against what they knew to be another step towards forcing upon them an episcopal form of worship, in accordance with that of England.

The noblemen who objected to this clause would not leave the subject to doubt, and, therefore, inquired of the King, whether the introduction of the surplice was not covertly purposed under that clause, and Charles dared not assert a negative in reply.

It was now that the King gave a demonstration, even more flagrant than he had done in England, of the coercion he desired to exercise over the members of a legislature. Drawing from his pocket a list of the members, and occupying the throne to watch their demeanour and their votes, he said, with a significance

not to be mistaken:—"Gentlemen, I have all your names here, and I'll know this day who will do me service and who will not."

Still the friends of the Presbyteries adhered to their declaration, that whilst they were willing to grant his prerogative, they objected to the clause about the regulation of Church-vestures; but they were compelled to give it an entire negative, by "the King announcing he would have no distinction, and that he commanded them to say, 'Aye,' or 'No.'"\* Thirteen peers and nearly all the Commons voted against this measure, which they considered "contrary to the liberties of the Church." So the Act was really rejected by the majority, and of this the King was conscious, for with his own pen he had marked how every member voted; yet the Clerk of Register, who gathered and declared the members, said it was carried in the affirmative. This was denied by the Earl of Rothes, but Charles said the clerk's declaration must be held good, unless the Earl would move to the bar and accuse him of falsifying the record. This was not to be expected, for the punishment was death, and if the accuser failed in his proof, the punishment rebounded upon himself. If the King had not feared a confirmation of the truth, he would have directed the votes to have been again taken.

The rejected Act was published as one of the future laws of Scotland, and no other course was left to the objectors, but to petition the King against its operation. Haig, the King's solicitor, drew up a petition, detailing the grievances, and asking for redress, but it was

\* Rushworth, II. 183; Burnet's *History of his Own Times*, *Introduction*; Balmerino's Trial, *State Trials*, III. 598.

approved by none of the noblemen to whom it was shown, and finally was abandoned.

A copy of this petition, with interlineations and corrections in his own handwriting, was preserved by Lord Balmerino, and became in the year following an instrument of the greatest tyranny. Thinking it might be altered sufficiently, so as to express their complaints without offending the King, he placed it in the hands of one, Dunmuir, an attorney in whose ability and discretion he trusted ; but Dunmuir showed it to a traitor, Hay of Naughton, who exhibited it to Archbishop Spottiswood. The archbishop immediately communicated it to the English Privy Council, and on it was founded a prosecution nearly concluding in the execution of Balmerino. The law of Scotland made "leasing-making," or exciting dissensions between the sovereign and his people, a capital offence ; but, more than this, whoever listened approvingly, neither revealing the sedition nor endeavouring to secure its author, was by the same law adjudged worthy of an equal punishment. Under this last clause the government sought to bring Balmerino to the scaffold.

The petition did no more than remonstrate against the unfair and over-awing procedure of the King in the Parliament, and declared in terms firm, yet respectful, though with unpalatable truthfulness, that there was "a general fear of some innovation intended in essential points of religion ;" all which, according to the verbiage of the Scotch indictment, was in derogation of "the person of the supreme and sovereign prince (who) is and ought to be sacred and inviolable, and ought to be revered, honoured, and feared, as God's lieutenant on earth."



We shall not follow the trial through its details ; we shall not pause to argue that a petition thus prepared, and thus kept in the possession of one of the petitioners, was neither leasing-making, nor a concealment of it, even if the clauses had been seditious, instead of complaints against oppression. But we will devote a sentence to record the iniquity perpetrated in packing the jury of Peers who were to try the Earl. Nine of them were challenged, and were known to be either Balmerino's enemies, or to have declared beforehand their adverse verdict, yet the Crown insisted upon their being retained, and they themselves had not the grace to withdraw voluntarily. Above all, the Earl of Traquair, who avowedly, as the King's representative, had undertaken to corrupt or intimidate the jury, was foreman of those to whom Balmerino's fate was entrusted. Fifteen noblemen and gentlemen composed the jury, or "persons of assize," and by Scotch law the opinion of the majority is their verdict. One of them was John Gordon, of Bushie, an old man who nearly half a century before had been concerned in the murder of the Earl of Murray. He was relied upon as certain to vote for a condemnation, but he disappointed that expectation, by being the first to break silence after the jury had retired to consider their verdict, and to warn them not to be unduly influenced in this, "a matter of blood;" for if they did, "the still small voice would be heard," and "the downweighing of heart and spirit" would be felt by them whilst life endured. In his youth he had been a shedder of blood, and, added this ancient clansman, as tears trickled over his hardy cheek, "though I have the King's pardon, it cost more to obtain forgiveness from God." "This struck a damp" upon the whole jury ;



and though the Earl of Traquair laboured hard to remove the impression, it was only his own vote that carried a verdict of "proven" or guilty. Seven of the jurors voted for an acquittal.

All Scotland rang with deprecations of the verdict, and the Earl of Traquair, hastening to London, told the King that though Balmerino's life was in his hands, yet to allow his execution was not advisable. So he was pardoned ; but this could be no compensation, no wiping away of the remembrance of the suffering and wrong inflicted by the prosecution. Scotland certainly never forgave it. Balmerino was one of the most honoured leaders of the Presbyterian party, and they never could be deceived by any artifices from the firm belief that his life was aimed at in order to work out their depression and to establish in the place of their Presbytery an episcopal form of Church government. "My father," says Bishop Burnet, "knew the whole steps of this matter, having been the Earl of Lauderdale's most particular friend. He often told me, that the ruin of the King's affairs in Scotland was in a great measure owing to that prosecution, and he carefully preserved the petition itself and the relative papers."\*

Such a flagrant instance of oppression and injustice is acknowledged by all contemporaries to have exasperated those who were already ripe for the Covenant, and prepared to suffer for "the good cause." But there were many other wounds inflicted on the national pride, and national prejudices, to say nothing of great private interests, which urged the people to stand forth in

\* Burnet's History of his Own Times, *Introduction*. The Earl of Lauderdale was one of the jury.—*Laing's History of Scotland*, III. 107, &c.

defence of what was loved and cherished by them, as though it were part and parcel of Christianity. For the sake of our liberties and freedom of conscience, it is well that Scotland thus rose stern and resolved, for though no man of sober mind would now think he was summoned forth to the battle of Armageddon, if required to massacre thousands rather than that a Bishop should supersede a Presbyter, or a white vest be worn in preference to a black coat ; yet questions and consequences of far deeper importance were then involved, than whether the mitre and surplice should be adopted. Charles and Laud had made them inseparable in men's minds from efforts of despotism, defiance of the laws, and cruel oppression.

The King left Scotland on the 16th of July, and with no great desire to linger there longer, if we may judge from the rapidity of his journey homeward : " July 20, the King came from Scotland to Greenwich, having come post from Berwick in four days : " \* a speed of travelling readily explained by a knowledge that he was hastening to a home circle which he loved, and where he was happy, and was escaping from a country in which every day gave birth to scenes of exasperated remonstrance, and threatenings of more serious strife. We turn to the consideration of some of the public and private occurrences in England.

\* Laud's Diary.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD,  
THOMAS, LORD FAIRFAX, AT HIS LORDSHIP'S HOUSE, AT  
DENTON, THESE PRESENT.

RIGHT HONOURABLE MY VERY GOOD LORD,

I HAVE received your lordship's noble letter, whereby I perceive your honour is pleased, to disappoint yourself, to furnish me this winter with your house at York, which is a favour of that transcendant nature as I can no way deserve it. I doubt not but your honour hath heard of the sudden displacing of my Lord Chief Justice Heath, for misdemeanours he did while he was Attorney General. Sir John Finch hath a grant from the King to be Lord Chief Justice of the Common Pleas in his room. Sir John Banks is Attorney General ; Mr. Littleton, Solicitor ; Mr. Herbert, the Queen's Attorney ; Mr. Luywe, Recorder. The evil news out of Germany was, as I hear, thus related to the King : That the King of Hungary came to besiege a town they call Norlingen, where Duke Bernard of Saxe Weimar and Gustavus Horn did lie with as great an army, if not greater, than the King had, with whom they joined battle, and skirmished two days, in which time came up to aid the King of Hungary, the King of Spain's brother, with an army of choice soldiers, which he had newly brought out of Italy, which fell so powerfully upon the Swedes as put them to flight, killed fifteen thousand, and did take Gustavus Horn and divers other commanders, and Duke Bernard's standard ; but he escaped. Since which time the Swedes have craved aid of the King of France, and have put

into his hands four cautionary towns which they have in Germany, and now the King is entered really into the action of the Swedes' party. We hear Monsieur, the King of France's brother, is escaped from Brussels, after he had spent the King of Spain half a million of ducats, and is reconciled to his brother. Thus your honour has part of the news we hear; and so, with my due and true respect to your lordship, desiring to be remembered to my cousin Fairfax and my cousin Eleanor, I rest,

Your lordship's devoted servant,

W. SHEFFIELD.

*London, this 10th October, 1634.*

The cause of Sir Robert Heath's removal is not now known; but there is some reason for believing that he agreed to descend from the judgment-seat merely to make room for one who had served the King even more unscrupulously. At all events, the King gave Sir Robert special leave to practise as a Serjeant in the Courts of Westminster; and, in 1643, promoted him to be Chief Justice of the Court of King's Bench.\*

Sir John Finch, his successor as Chief in the Common Pleas, was a thorough-going royalist. As Speaker of the House of Commons, we have seen he declined putting the vote in the Parliament just preceding his promotion to the Bench, because he had been commanded otherwise by Charles. Sir John Finch's elevation did not terminate at the Bench of the Common Pleas; for he was raised to be Keeper of the Great Seal, and created

\* Parl. Hist. XIII. 257.



Baron Fordwich. When the Parliament became the ruling power he fled into Holland.

Sir John Banks succeeded to the Attorney Generalship on the death of Sir William Noy, and, like him, was a renegade from the popular party. Finally, he became Chief Justice of the Common Pleas ; and is more memorable for his wife's heroic defence of Corfe Castle than for his own acquirements.

Sir Edward Littleton was another proselyte from the opponents of the Court party. He was suddenly converted by being made, in quick succession, Solicitor General, Chief Justice of the Common Pleas, and eventually Lord Keeper. He even served his royal master in the field ; for at the time of his death, in 1645, he was Colonel of a regiment of foot.

The fourth convert, by the sunshine of the Court, was Mr., subsequently Sir Edward Herbert, who even after being one of the managers of the Commons' "Cause of Causes" against the Duke of Buckingham, was now lured away to be the Queen's Attorney, and became, within a few years, Attorney General.

It has been noticed already that Sir Thomas Fairfax's service, under Lord Vere, led to a more intimate union with that nobleman's family. Lord Vere died in the May of the year 1635, and the negotiation—a bargain and sale in the strictest legal sense of the words—soon after commenced, for a marriage between Sir Thomas Fairfax and Anne, daughter of the widowed Lady Vere.\*

The following letter relates to this union :—

\* Horatio Vere was created Baron of Tilbury, in 1625, and well deserved the honour, for his high moral worth as well as for his military skill. His

TO SIR FERDINANDO FAIRFAX.

SIR,

I RECEIVED your letter about three weeks since, and would gladly, before this time, have given you some account of the business, if besides my own being unsettled and more full-handed than I have activeness for, there had not also been so much in your instructions as could not admit a sudden dispatch. For the first point, I cannot perceive that Mr. White hath any such interest in those persons that I could know much by him ; but I used Dr. Gouge who (without naming any person as occasioning the question) asked the lady (Vere) herself what portions are intended to her two daughters who are yet unmarried. Her answer is that she intends to each of them 3000*l.* or 4000*l.*, according as she shall like of the party ; and that there is no haste on her part of having them bestowed, since the longer they stay, the better she shall be able to do for them, my lord having left her indebted. Yet she hopes, by means of some moneys due to her from the King, to better her daughters' portions, in some reasonable time.

The second thing which I desired to do was, that my wife or myself, or both of us, might have had a sight of these two young gentlewomen ; but my lady having been out of town, and daily expected, is not yet come,

greatest achievement was in saving four hundred men, under his command, from being destroyed by the Marquis Spinola, when, as the latter expressed it, "they were between my fingers." He had, as pupils in the military art, not only Sir Thomas Fairfax, but Edward, Lord Conway, and Monk, Duke of Albemarle. He left five daughters and co-heiresses.

except it be this very night. I should yet have adventured one step further if this last had been done : to have offered some discourse to my Lord Houghton, which, if it had not taken well, I should wholly have taken upon myself, that no other disadvantage could come by it. But in the meantime, my nephew Widdrington and my wife have laid so much to my charge (the seeming retarding of this service) that though I could not this day inquire out a fit messenger, hearing now at night of one, though late and weary, with some disadvantage to myself, I choose rather to give you this in part than to defer till I could give you a more perfect account, which I shall seek to do with as much speed as the business and the slow agent can conveniently afford. Thus, Sir, for this time, without further ceremony, good night.

Yours,

WM. CONSTABLE.

My wife, your son and daughter, and myself, would all be shut up in this short salute.

*Sheers' Court without Aldersgate, Nov. 14, 1635.*

TO MY HONOURABLE GOOD BROTHER SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARESBOROUGH, PRESENT THIS.

SIR,

I KNOW not well where to begin to sum up to you an account of the successes of your twofold treaty. What I had not time to write before, my wife hath informed you of as well as she could, by which you may judge in what terms the business now stands on

all parts. Mrs. Barrow was lately with my wife, and was pleased to ask my opinion whether the countess not writing an answer to my lord's last letter, would not be taken for a neglect. My answer was, that I was not skilled in those civilities between great persons, but I presumed there would need no more than what had been signified to him already; namely, that the countess could not enlarge her offer according to his demand, but that she took well the good intention that had been expressed, and hoped my lord did the like from her; this I took the boldness to say, foreseeing that no good was like to come of more replies, but that it was left at the fairest. Mrs. Barrow seemed to think that her lady might be wound up to some few hundreds above 4000*l.*, if the conditions for present maintenance might be made more suitable; but that she said, her lady had much stumbled at, as it had been proposed. She told me further that she had lately been with her sister Clarke, where they imparted each to other, the several motions that had been on foot (though with all due respect, not to put any blemish upon either of the businesses), and that she thought my lady Vere had some notice of the other offer. Since this, I made a journey hither to London, one chief end of my journey being in hope to have met with Dr. Wright, by whom my lady Vere had formerly treated with me, and expressed more of her mind than I could then have from herself, and I the rather desired now to have spoken with him, for that Mr. Felton at his last being at Missenden, not finding me at home, had much pressed some satisfactory answer to be given to my lady to stay her thoughts, because other motions were



daily tendered to her ; and thereupon I had written to my lady, though my head was at that time much taken up with my own private business ; W. Bradford staying at that time with me for a dispatch from me. And because I would have no varying, or receding from what had been propounded, I referred myself to that which had been formerly named betwixt Dr. Wright and me, as I think you might see by a rude copy of my letter, sent you from my wife. I, therefore, thought it needful to know how Dr. Wright did remember those passages, but not finding him now in town, I went yesterday to Hackney to see Mrs. Clarke, who told me that her lady's affection continueth very good to proceed in this treaty, and that she had not said nor did intend to speak any thing to her of that which she had heard concerning my lady of Devonshire, which also she conceived could have given no offence, the motion proceeding from the countess. By her I understood that Sir Roger Townsend \* (at whose house in Norfolk my lady Vere now is), died the last week, my letter to my lady coming to her in the midst of that distraction some few days before his death. My lady presently sent Mr. Felton to the Court about the wardship ; hoping to get some debts of hers due from the King to be allowed in that composition. This morning early, Mr. Felton in his way to Hampton Court came by my lodging, being the first meeting that I had with him. He tells me that Dr. Wright speaks of 4000*l*. to have been named as the lowest sum that would be

\* Sir Roger Townsend, of Rainham, in Norfolk, had married Mary, another daughter of Lady Vere's. The young widow took, for her second husband, Fane, Earl of Westmoreland.

accepted, though I verily thought the demand had been held up higher, however some letters from you about that time gave liberty to treat upon such a sum. He saith he conceives my lady will not exceed that sum for portion, except it be by way of giving part of the portion in land and part in money, in which way he thinks my lady will be more apt to enlarge her offer than by speedy raising of any great sum, of which kind of payment she hath a very lively sense, though in a proportion she may well enough deal either way. He asked me what I thought would be offered for jointure and present maintenance; I told him for the latter, that my lord desiring to have them live with him, he would think to part with the less for the present, which Mr. Felton seemed to think reasonable, but hopes of a competency for the other demand about jointure. I told him it would depend upon the sum and manner of payment of the portion, of all which if my lady's thoughts were first known, you would be the better able to frame your offer. So he tells me my lady purposeth shortly to be here, if the increase of the plague here do not hinder her; howsoever, as soon as these present distractions of hers give leave, she will send to me, and I shall accordingly advertise you. Thus abridging all the ceremony which should end my letter, according to my paper, I must here abruptly end this confused story, and return this day to Missenden.

Yours,

WM. CONSTABLE.

*London, Jan. 6th, 1635. (N.S. 1636.)*

The treaty proceeded tardily, and yet the reader

would be much mistaken if he thought the parties, who were, according to our modern notions, most concerned in such matters, were at all impatient at the delay. If contemporary writers and painters tell the truth, no very striking charms were bestowed either by nature or education upon the young lady, to render the destined bridegroom impatient for their possession. Indeed, the following letter to his father shows that he had no very violent desire for the match, and a model of filial obedience would he be considered now-a-days, who, when speaking of his love-suit, should thus express himself:—

TO THE HONOURABLE MY VERY GOOD FATHER, FERDINANDO  
FAIRFAX, KNIGHT, KNARESBOROUGH, THIS PRESENT.

SIR,

SINCE my coming to London I have studied to do my best in effecting the business I came up about ; but whether my lady Vere disliked me, the conditions, or us both, I cannot tell ; but she put me off with an unwillingness to marry her daughter in a time of such perplexity as she pretends to be in. The money the King owes her is hard to get, and she is loth to impoverish herself by parting with anything that she hath now ; whether I should proceed farther in this business or no, I refer it to you. I waited on my lord Mulgrave once or twice ; he was desirous to know my business here ; I told him all that my lord had given me in charge, he approved well of it, yet his wishes for my good were more hearty than his assistance powerful to direct me to that end. They are all well in that house. The report that Mr. James Chaloner was married is

not so, for he was never more earnest in that suit than now, for the other day he had almost got my cousin's portion out of my lord Molesworth's hands, had he stood to his word. Sir, I paid to my brother Widdrington 25*l.*; he will give you account of it himself. The other 25*l.* I paid to the tailor, and here is his acquittance for it; but the odd money I could not get him to abate it. Sir, I humbly desire your blessing, so I rest

Your obedient son,

THO. FAIRFAX.

*February 6.*

I lie at the Three Black Birds, in Fleet-street.

TO HIS HONOURABLE FRIEND SIR FERDINANDO FAIRFAX,  
KNIGHT, AT KNARESBOROUGH, PRESENT THIS.

SIR,

I DESIRED to have some ground what to make of your son's business before I should write any further to you. It seems that he, in a desire to bring it to a short point for your better satisfaction, met with an answer which, perhaps, he apprehends more absolute and positive than was intended. I, for my own part, did fully approve his carriage of it, giving a fair respect, where he had only a civil entertainment with gravity and reservedness.

I suppose he hath prevented me in writing to you that he conceiveth the business to be at an end; but this very day there was one with me to inquire further of the young gentleman, by whom I came to understand divers things more than I did before. He told me that my lady had required him to make this inquiry, and did



not conceive that in the last passage betwixt her and my nephew any denial was intended. He thinks it true that she cannot well give any present money, the means of raising it being in land. I do, for my part, believe his relation that she hath 1000*l.* yearly in one lordship, which she hath to sell. I perceive, likewise, that my Lord Houghton is not so gracious with his mother-in-law as I took him to be, and that he is thought not very forward to put them upon any portions or payments but to his own advantage, which somewhat agrees with this, that my lady hath not received from him so much as any touch of this business.\* I shall, within a day or two, wait upon my lady, and then I doubt not to find her less reserved than her grave way of treating afforded at the first, being so slowly pressed on my part.

Sir, I am forced to take the opportunity of this post, which is now upon going ; pardon the haste, and present my service I pray you to my lord, to whom I must shortly write my excuse for my seldom writing.

Yours ever,

WM. CONSTABLE.

*Aldersgate-street, Feb. 9th, 1635. (N.S. 1636.)*

TO MY LOVING SON FERDINANDO FAIRFAX, KNIGHT.

I AM so acquainted with delays, as I am very impatient of them. We are free in our offers, and I hope

\* John Holles, Lord Houghton, and, upon the death of his father, Earl of Clare, married Elizabeth, the eldest daughter of Lady Horatio Vere. Lord Clarendon presents us with his character in a very few words—"He was a man of honour and courage, and would have been an excellent person, if his heart had not been too much set upon the keeping and improving his estate." He survived the Restoration, not dying until 1665.

my lady will consider it ; if not, she hath her monies, and we our wares. But dispatch it as you can, and with what speed, for the charge is too great for uncertainties, and in that case, as I cannot much hope to see your return, and then there will be none to bury me but to your loss.

Your son hath forgotten to write unto me, but he remembereth his old wont—not to write.

I am very sick and faint, and can trouble myself no more. What I omit to my near friends, remember you.

Your very loving father,

T. FAIRFAX.

*Denton, 12th of May, 1637.*

The pecuniary part of the negociation was at length brought to a conclusion to the satisfaction of the desires of all parties, and early in June 1637, the marriage appears to have been solemnised ; for among the MSS. is a rough draft of the settlements made upon the occasion, bearing date May 31st, 1637, settling nearly all the Fairfax estates in Yorkshire upon the bridegroom and the issue of the marriage in strict tail-male ; and the following letter from his grandfather was evidently written immediately after the nuptials.

TO MY LOVING SON, FERDINANDO FAIRFAX, KNIGHT, AT THE  
WHITE LION IN COVENT GARDEN, THESE.

FERDINANDO,

THE post's haste doth shorten me, for you know the messenger's coming and returning the same day doth not admit me time to be large, but yet I have

something in answer of your last letters of the 13th of June.

My lady's desire for the stay of my son and my daughter some time there, as all other her pleasures, shall be commands to me, but my earnest request to her ladyship is, that she would be pleased to let them come home now, because I conceive it to be the best opportunity, the horses being all ready gone for them, and my occasions both of using Lawson and Mawson, are such as you know. Remember my service to my lady, and signify the same to her. My desire is exceeding great to see my daughter, myself being both sick and weak : there is nothing in this world can give me more contentment.

I would have Tom put into the commission of peace, because you know I am not able to do anything, and I would have my name left out. Your presence here about these occasions is much required, because of your pains in these businesses. I know not what more to say, but I have written to my Lord Chamberlain, who, I hope, will effect that which is required. If you can conveniently, I would have you bestow a visit on Sir John Ogle and his lady, and remember my service to them. Thus, praying God to bless you and yours, I commit you to his merciful protection.

Your very loving father,

T. FAIRFAX.

*Denton, June 16th, 1637.*

I would be very glad to see honest Peter Lenon.

The next letters are from the bridegroom and his father to Lord Fairfax.

TO THE RIGHT HONOURABLE MY VERY GOOD GRANDFATHER,  
THE LORD FAIRFAX, THIS PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I DID not forget to write by the two last posts, though my letters were unfortunately forgotten to be sent in time, I being forth of town ; but now I must alter both the matter and the phrase. They were to inform your lordship what should be, and this to give you humble thanks for what hath been, that is your free bounty in all these proceedings. But if more have been disbursed than your lordship did intend, I beseech you to excuse it with the same freeness you did the other ; since it was to answer the nobleness my lady showed in her free entertainment and charge in the furnishing her daughter with all things necessary, besides the expectation so many persons of quality had to find me answerable. Thus hath much cost been bestowed, and no less toil and pains to my good father shown in his perpetual motion, working to that conclusion, which I pray God may render you as much satisfaction as it doth me content, for none was ever more obliged to labour it than I. So have your cares and affections ever run equal towards me, that not only my duty to you, but your bounty to me, binds me as much to answer your lordship's freeness with acknowledgment, as my duty with obedience ; for, if obedience be as good as sacrifice, gratitude is no less than the altar to lay it on, where I will be always offering up my prayers for your health and happiness. So desiring your lordship to return me again your blessing, I rest,

Your lordship's obedient grandson,

THO. FAIRFAX.

*Hackney, June 29th, 1637.*



TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

RICHARD LAWSON got hither on Thursday night, but with very ill news. He came with Mawson, the foot-boy, and one Turner, of York, to Newark, on Tuesday last, dined there together, and went afterwards to Sewston.\* Mawson had great desire at dinner to drink some white wine, which he did, about the quantity of a pint, but was so well after as that could not be conceived any cause to distemper; the next day, at Stilton, Turner came to R. Lawson and told him that Mawson was dead of the sickness, and the house ready to be shut up. I perceive by Jack that about a mile short of Long Billington, Mawson and his horse, Lee, he rid on, parted, but he cannot inform me how the horse was carried back to him: he got up, rid to the town, and when he alighted sat in the inn on a carrier's pack, and cast corrupt matter and blood. They got him to bed, after which he rattled much in the throat, but could not speak, and about three o'clock of the next morning died. The fear they had of the plague kept all in the house from him, save Jack and Turner, who would not leave him, but got two women to search him, who declared there was no sign of any infection about him; and that by the corrupt matter that came from him, it could be no other than an impostume; so they buried him decently, got an inventory of what he had about him, and set down the charges of his burial under the parson's and constable's hands. So Jack came away with

\* In Rutlandshire.

the horses and brought them safe hither on Saturday night. This misfortune and loss of so painful a servant at this time, and in this manner, I fear might trouble your lordship ; but his infirmity was such as could not promise any other than a short death, which he seemed at Bantry, before his coming out, to foreknow, expressing by many friendly and affectionate speeches there, and in the way as they journeyed, that he was a good Christian and an honest man.

I made my lady acquainted with the letter that this day I received from your lordship, of seeing her daughter with the best conveniency ; she will hasten her journey to Norfolk, which is not so much to show her son among her friends, as really to be better acquainted in several places with that humour of his she has but yet guessed at, and to endeavour the rectifying it, as also to instruct the wife in her applications ; for in truth she is very tender of this child and affectionate to my son, and six weeks now is the longest she requires for their stay with her. The marriage, that my lady intended private, was made too public ; a very great feast made, and many at it. I hope she will prove a good wife ; her affection to her husband, and demeanour in these few hours, promiseth well : the Lord give a blessing to these beginnings. It is now a busy time with my son and daughter, that they cannot write ; they both desire their humble duties may be presented in these lines to your lordship, which the messenger hastens from me, for fear the post will be gone. I beg your blessing to us all, and humbly rest

Your lordship's humble and obedient son,

FER. FAIRFAX.

I think to-morrow my brother and sister, Constance, go a-board for the Low Countries ; their goods are in the ship.

*Hackney, the 20th of June, 1637.*

FOR THE HONOURABLE AND MY MOST ESTEEMED BROTHER,  
SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARESBOROUGH,  
IN YORKSHIRE.

GOOD BROTHER,

I HAD hope that my son and daughter should have been with you at the time appointed, but it hath pleased God to alter that we agreed upon ; for within two or three days after your going down, my son, after a fit of the stone, fell into an ague, which hath held him ever since, with somewhat long fits each other day, the fits beginning with cold and then heat. Doctor Wright is very careful of him, and attends him every day, and saith he thinks the fits will not hold him long. I pray God bless the means for his recovery. I hope you believe that there shall be no care of mine wanting for his health, nor anything else for his contentment, for he is now to me as my own, which is argument enough to you to have that confidence in me. It is His will who is the wise disposer of all, to have it thus, and therein I desire to rest. My daughter, with watching and cold she got, is fallen into a fever, which is the more to her, because she hath never had any sickness. I trust God will sanctify His hand to them and me, that we may acknowledge Him in all. I intreat you to present my respective love to my Lord Fairfax, to whom I wish an

increase of health and happiness. So I leave you to the protection of the Almighty, and ever rest

Your affectionate loving sister,

MARY VERE.

*Hackney, 11th July.*

TO MY RIGHT HONOURABLE AND MOST ESTEEMED BROTHER,  
SIR FERDINANDO FAIRFAX, AT KNARESBOROUGH, YORK-  
SHIRE.

GOOD BROTHER,

I CANNOT but give you an account, by all opportunity, how my son is, which is, I thank God, much better than he was : his fits come now to be but very little. He is, with his ague and spare diet, brought low ; but I hope now his fits will wear away, and his strength come apace. Dr. Wright is so careful of him as can be ; and myself have, with a great deal of affectionate care, done what I can to express my love to so deserving a son as is every way worthy of it, and very dear to me. So, with my loving respects to my Lord Fairfax, which I entreat you to present for me, I leave you to the protection of the Almighty, and ever remain,

Your very affectionate sister,

MARY VERE.

*Hackney, July 18th, 1637.*

The widow of Lord Vere, of whom we have just had such frequent mention, was Mary, daughter of Sir John Tracy, of Tuddington, in the county of Gloucester.



She was a woman of exemplary manners, and so publicly known for her virtues, that the Parliament confided to her care the Dukes of York and Gloucester, and the Princess Elizabeth. She survived until 1671, being then in her 91st year.

Her daughter Anne, so hardly gained to be the bride of Sir Thomas Fairfax, is thus noticed by Woodburn, in his "Illustrious Characters."\*

"Anne, fourth daughter of Lord Vere, was brought up in Holland, and a zealous Presbyterian, but appears to have disapproved of her husband's conduct towards King Charles the First, at whose trial this lady exclaimed aloud against the proceedings, and the irreverent usage of the King by his subjects ; insomuch that the court was interrupted ; for her husband (Lord Fairfax) being called first as one of the judges, and no answer being made, the crier called him a second time, when a voice was heard to say, "He had more wit than to be there," which put the court into some disorder, and some murmuring was heard. Presently, when the impeachment was read, and that expression used of "All the good people of England," the same voice, in a louder tone, answered, "No, nor the hundredth part of them ;" upon which one of the officers† bid the soldiers give fire into that box whence the presumptuous words were uttered. But it was quickly discerned that it was the General's wife ! She was persuaded or forced to leave the place. Although she had concurred in her husband's joining the rebellion, she now abhorred the

\* Her Portrait is the frontispiece of the Second Volume of this work.

† Colonel Axtel. This order to fire was urged against him at his trial as a regicide.

work, and did all she could to hinder him from acting any part in it."

TO MY HONOURABLE AND VERY WORTHY BROTHER, SIR  
FERDINANDO FAIRFAX, AT KNARESBOROUGH, IN YORK-  
SHIRE.

GOOD BROTHER,

I AM very sorry that my son's sickness doth increase, and that in such strong fits, which cannot but much weaken him, and the more because they seize so upon his spirits. I perceive he hath but a weak body, and the more care and circumspection for the preservation of his health will be required, especially against melancholy, which is, I think, the ground of all. Though I know he cannot be better than with you, yet my affections carry me to a great desire that he were here with me ; it would be a great satisfaction to me. I hope and pray that God will give a blessing to your means for his recovery, and rejoice in the hopes you give me of it ; for my son hath a great share in my affections. I cannot much blame my daughter in case of so much fear and danger of a husband so dear to her as she writes to me he is to her, though she somewhat exceeds in giving way to her affections. It is an error that I can easily pardon ; and hard it is to order our affections at all times, especially till we be more experienced. Now, when they have had vent, she will be more careful of herself, and, upon deliberation, will acknowledge whence the stroke is, and submit to what God will have her, and I hope will follow your advice and commands in the careful preservation of

herself, and of that which, as I hope, she is with, which I beseech God make a blessing to us. You hear, I believe, that the Prince is to be created Prince of Wales in June next ; and that many Knights of the Bath are to be made, which (as is thought) will bring in a great sum of money. It hath not been usual for the creation to be when they are so young. The news reported out of Sweden is good for the present : that the Swedes have given a great overthrow to the Emperor's forces, and have taken four colonels, one whereof was the chief commander, and three-score colours, which they have sent to the King of France. This will hinder the Emperor's design to send forces against the Low Countries. He sent to the States to demand of them his imperial towns, but they gave the ambassador a slight answer, and he is returned discontent. I pray God look upon His Church, to defend it from the fury of the enemy. You will excuse from her who will ever be,

Your most affectionate sister,

MARY VERE.

*Hackney, 15th March, 1637.*

From the foregoing and other letters, it appears that the relatives of the future Parliamentary General had just cause for apprehending that his life would not be of even an average duration. This, however, was not their only anxiety ; for at this early period of his career he appears to have been so liberal in his expenditure as to call forth the admonition of two much more thrifty housekeepers,—his wife's mother and his own grandfather. Apprehensions of his grandson's

unthriftiness troubled the old nobleman even on his death-bed, and the following testimony of his anxiety and his care for his offspring still remains in the handwriting of his son Charles.

“HAVING here made some few entries of the most remarkables of the family, that have come to my view or certain knowledge, I am now, for a sad epilogue, enforced to insert the passages of a discourse betwixt my dear father (the first Thomas, Lord Fairfax) and myself, which I dare not omit, by reason of a solemn engagement imposed upon me by him (with a quadruple charge, as is hereafter specified) not many months before his death. The substance whereof, with some of the circumstances, was to this effect. He, walking in his great parlour at Denton, I only then present, did seem much perplexed and troubled in his mind. But, after a few turns, broke out into these or the like expressions : ‘ Charles, I am thinking what will become of my family when I am gone. I have added a title to the heir male of my house, and shall leave a competent estate to support it. Ferdinando will keep it, and leave it to his son. But such is Tom’s pride (led much by his wife) that he, not contented to live in our rank, will destroy his house.’

“I then offered something in vindication of both ; and told him what was, not only my own thoughts, but the general hopes of all that knew them ; yet, notwithstanding, he solemnly charged me to make known what he told me, when I saw a probability that it might so fall out. I then alleged my unfitness to be the publisher, and that it might be done by a person



better qualified, and one not so near in relation to him. He added, to that solemn injunction and command of a father, a charge upon his blessing, which I, having received with a sad heart and tears, protested I would do it. He then (it seems doubting my performance) superadded, as his last and great charge, that I should not fail, as I would answer him at the dreadful day of judgment, where I must give an account. This he twice repeated. Then (after some years), when I was certainly informed that the now Lord Thomas had cut off the entail (made by his grandfather and father, 7th May, 13 Car.) for the settlement of the estate upon the heir male, charging the land with a competent provision for a daughter or daughters, (he, the now Lord Fairfax being then at Denton, in the very same room where I received my charge), I faithfully acquainted him with the passages as above said. He gave me my liberty without words of impatience or any appearance of distaste, and made me, then, more than verbal expressions of a kind acceptance. Now, in testimony that this is, in substance, the very truth, I (being upon the very brink of eternity, and ready to embrace and shake hands with death) do, in this narrative, for and in discharge,—1st, of my solemn engagement; 2nd, to a father; 3rd, upon his blessing; and 4th, as I shall answer him at the great day of judgment,—attest, in the presence of the Almighty God, that I do not prevaricate; which may be the better believed, because it can have no other reflections upon me than to my disadvantage, there being scarce a possibility (not the least probability) that either land or title should ever descend or fall so low (my brother Henry having

children and divers grandchildren, who may be inheritable, at least to the title) ; indeed, it may deprive me of that assistance and countenance of our chiefest support, whom it may exasperate. This very argument I urged to my father, but it had no prevalency to procure my discharge. Obedience, in truth, is better than sacrifice, not, as the world thinks, of my credit and esteem with my honourable chief (which I know I hereby sacrifice), but of the best oblation I am able to render. A very Pagan could say, "*Fiat Justitia, ruat mundus,*"\* and I have learned to go upon a better principle, and yet have not wanted suggestions of discouragements, but dare not hearken to any dissuasion to the neglect of this duty.

"Ita testor,

"C. FAIRFAX.

"It has been my great care to manage this charge, incumbent upon me, with the least offence, and to those that object the discharge thereof will expose me to a snare inevitably to be avoided my answer is this, that the only wise God (to me universally good) that brought it upon me, knows a way, unknown to me, how it may be shared ; and to him I submit."

\* So in the original.

## CHAPTER VIII.

Charles Fairfax—Letter to his grandfather—News from Germany—Lady Vere to Sir F. Fairfax—F. Lewenstein to Lord Fairfax—Prince Rupert's release—Dowager Queen of Bohemia—Charles knew the repugnance to Episcopacy—The People rejected the Perth Articles—Temporising the best Policy—Laud for prompt measures—Rejoiced in ambiguity—High Commission Courts established—Liturgy proclaimed—Baillie's Letter—Juxon's wit relative to the Canons—Liturgy published—Bishops not unanimous in its favour—Laud's reproof of them—Church Riots at Edinburgh—Liturgy withdrawn for a time—Renewed opposition when again employed—Village Festivals condemned—Book of Sports—Rev. Mr. More's Letter—Puritanical Books prohibited—Ambiguity of the Proclamation—Romish tendencies—Anecdote of Lady Anne Cavendish—Thomas Fairfax to his grandfather—The Bishop of Lincoln's troubles—Dr. Duppa—Prynne, Bastwick, and Burton—Despotism exercised—Pym, Hampden, Cromwell, and others prevented emigrating—King resolves on War with Scotland—The Covenant signed—The Covenanters prepare for their defence.

WE have now reached the period in the reign of Charles the First, when he adopted those measures in his government of Scotland, which involved him in open hostilities with its people, and were the commencement of that Civil War which so afflicted the whole of his dominions, and which was so fatal to himself. Before entering upon a sketch of the Scottish affairs, and that we may continue it without interruption, the following letters are here introduced, connected as they are with those who took an active part in the strife, and the first of whom (among many others) attested his sincere devotion to the cause of liberty, by finding a soldier's grave on Marston Moor. Charles Fairfax was the second son of Sir Ferdinando,

and, at the time of writing the next letter, was serving in the army of the Low Countries, the school, during that century, for all English aspirants to military distinction. He returned to his native country at the commencement of the Civil War, and was killed fighting for the Parliament. A monument to his memory is in the little village church of Marston.\*

TO THE RIGHT HONOURABLE HIS LOVING GRANDFATHER,  
THOMAS LORD FAIRFAX, AT HIS HOUSE IN DENTON,  
THESE HUMBLY PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

THERE hath not of late happened in these parts any extraordinary news; that which we so much inquire after and desire to know, is the time before going into the field, and that is reported to be very shortly, but not confidently believed. We may suppose, the weakness of our army, the ill provision the States have made for monies, may be two special reasons to the contrary; and it is most likely the consideration of those wants may be a means to keep us in garrison until such time as we are from thence forced by the enemy, who we understand, is already providing for a leaguer. And they might have had a great advantage

\* From the old Fairfax family Bible this entry is extracted—"The 22nd of March, 1614, being Wednesday, was born, at Skough, in the forest of Knaresborough, Charles Fairfax, second son of Sir Ferdinando Fairfax, Knight; and was christened at Fewston, the 26th of the same. Sir Guy Palmes, of Lindley, and Walter Hawkesworth, of Hawkesworth, Esq., were godfathers; and Mrs. Douglas Sheffield, aunt to the said child, was godmother. He was wounded at Hessington Moor fight, by Marston, July 2, 1644, and died, July 7."—He was a Colonel of Horse.



of us, if it had not pleased God to discover in time the treason which was lately plotted by four States of these countries,—they might, as we may conjecture, have suddenly effected so much as would have been to the loss, discontent, and grief, to the whole country. For it seems by their letters, that they had an intention to have sold an island in Friesland, or rather betray it into the hands of the Emperor, and had withall promised to employ their best endeavours to make known unto him all the designs that were undertaken in these countries, either against him or the King of Spain. But now they are not likely to go on as they expected, for their letters are intercepted, put forth into print, and dispersed through all the parts in these countries. The chiefest of them was one of the States that belonged to the town of Dort. He, presently after the news was reported and made known against himself and the rest of his partners, got away ; and such are the others' power and command in these countries, that not any dare as yet proceed against them.

I have sent here to your lordship a copy of those letters which Count Henry of the Bark, Captain General to the King of Spain's army, wrote to the Archduchess upon the subject of his resolutions and discontents, as also a reply which was made to his letters and sent to his Majesty. He is still resident in these parts, and now retired into a place which is destitute both of company and employment. There be general motives that might move and stir me up at this time to presume and make known to your lordship the truth of my present estate, but the consideration of the ill success in my former proceeding hath at this time so much hindered me, as I can think of nothing more than how I may present

unto your lordship my duty and humble thanks for your lordship's late favours.

Your lordship was pleased in a letter dated the 20th of July, to make mention of 10*l.* that should be returned to me at Martinmas then following, but I did not receive it above two weeks before Candlemas, and since that time I have not received any monies of my factor. My lieutenant-colonel, and my cousin, Mr. Holles, desired me to present their service in my letter to your lordship. Thus continuing my prayers to God for your lordship, and desiring a blessing, I humbly take leave.

Your lordship's obedient grandson,

CHARLES FAIRFAX.

*From Gourcome,\* the 20th of March, 1636. (N.S. 1637.)*

TO MY VERY NOBLE AND MUCH RESPECTED BROTHER,  
SIR FERDINANDO FAIRFAX, AT KNARESBOROUGH.

GOOD BROTHER,

I WISH this could make expression for me, as I desire to acknowledge my respective love to you for the expression of yours in receiving my daughter in so noble a manner. My hope is, that as she is now yours, she will endeavour in all duty to carry herself as a child that would fain deserve the continuance of your favour and affections to her. I hope my son's ague, and her's, being already come to a period, they will, by God's blessing, gather strength apace. I have had answer of my letters out of the Low Countries, and hear (which I believe you have heard before now from him-

\* Gorcum is a town of Holland, thirty miles south of Amsterdam.

self), that Mr. (Charles) Fairfax is in his colonel's company, and I have promises that with the first opportunity he will advance him : and, truly, he is so well spoken of for his discreet carriage, that he will merit it. I will trouble your leisure no longer, but leave you to the protection of the Almighty, and rest,

Your most affectionate sister,

MARY VERE.

*Stiskey, October 20th, 1637.*

FOR THE RIGHT HONOURABLE MY LORD FAIRFAX.

MY LORD AND DEAR FATHER,

I HAVE been so long without performing this duty, that I have nothing sufficient to plead for pardon but the assurance of your lordship's goodness, which I can never doubt, which makes me confident of the continuance of your lordship's favour, though I am not so fortunate to merit it as I desire. My lord, since the Queen my mistress came from Rhinen,\* I have sometimes seen your son, (Charles), and now he tells me he is going for England, at which I joy with him, for the comfort of being in the presence of such a father will give him a new life, and do him more good than all his travels. He tells me it is your pleasure he should go into France ; indeed, his greatest want is some of the French confidence ; for all things else I neither hear nor see there is anything wanting in him. He is your lordship's own son in obliging his friends as much as he can. I hope when he returns, to see him more often in this Court. He can inform your lordship of what passeth.

\* A town of Utrecht, on the river Leek.

I hope, by the solicitation of Sir Thomas Roe,\* we shall see our sweet Prince Rupert here, he hath been so long a prisoner; the Emperor hath done it so freely, I doubt he will prosper the better for his generous mind.† I see but small appearance for the Queen my mistress and her's, except by the favour of the Parliament. When God pleaseth to help, to Him nothing is impossible! I should yet importune your lordship with a longer discourse, but have a swelled face and am not well. I beseech your lordship believe you shall ever have my best wishes for the prosperity of you and all yours, assuring you it shall be one of my greatest ambitions to give your lordship testimony of the gratitude is owing you by

My lord,

Your humble, faithful daughter and servant,

F. LEWENSTEIN.‡

*Hague, November 24.*

\* Ambassador to the Emperor and Princes of Germany, 1640.

† In 1637, the Prince Elector and his brother, Prince Rupert, proceeded to Holland, for the purpose of raising an army, and in the year following to make another effort for the recovery of the Palatinate. With a mere handful of troops—not more than four thousand—they advanced into Westphalia, under General Hatsfield. Half of them were killed, and the remainder totally routed. This was Rupert's first battle; and, with the obstinate bravery which ever after characterised him, he would have sacrificed his life rather than yield his sword, but for the interposition of Lord Craven, who was his companion. They remained in prison until the date of the above letter, Lord Craven not obtaining his release but upon paying a ransom of 20,000*l.*—*Baker's Chronicle*, 457; *Bromley's Letters*, 86, 91, &c.

‡ This may have been Frances, the third daughter of Ferdinando Fairfax, and this is rendered more probable by the fact that the son she had by her husband, Sir Thomas Widdrington, died at the Hague. More than one letter shows that she was in attendance upon the now widowed sister of Charles, the dowager Queen of Bohemia. She may have had a title bestowed upon her by her royal mistress. On the other hand, it seems more probable that she was an illegitimate daughter of Sir Ferdinando Fairfax; for although she addresses him as her "father," she always speaks of Charles Fairfax as "your son," and never as her brother.



If Charles had not visited Scotland, and not only met its Parliament, but mingled with its people for a month, he might have pleaded in excuse for the measures he now proceeded to adopt, that he had been misled by false representations and bad advisers. But he was without any such admissible plea. He knew by the opposition in that Parliament that even a contemplated change in the dress of the clergy was viewed with alarm. This was a sufficient intimation that an episcopal Church government, with its outward forms and rituals, was distasteful : but this was not left to be inferred, for even the Scottish nobles of his Court attended most reluctantly at the services in the Chapel Royal. He knew that a petition, protesting against an episcopal establishment, had been framed, and though he had attempted to stifle it in its birth by returning a draft of it to the Earl of Rothes, with the mandatory remark, " No more of that, my lord ; I will receive no such petition," yet after that the opposition could be no longer a thing unknown to him. He knew, moreover, that his father had never ventured to attempt the introduction of a liturgy, nor even of the vestments and rites of the English Church into Scotland. The people could not be induced by his father to submit to a conformity with the Perth Articles, and Charles was blinded indeed by self-will, if he thought that they would succumb to his greater innovations, less known and less loved as he was by the Scottish people.\*

\* The Perth Articles were five : enjoining, kneeling to receive the Eucharist ; the celebration of Christmas, Easter, and three other festivals ; Episcopal confirmation, and allowing private baptism and private administration of the Lord's Supper.

If the King had temporised, it has been wisely suggested that the whole country might have been induced gradually to acquiesce in all the proposed changes. The race of old Presbyterian ministers would have become extinct ; the Bruces, Dicksons, and Calderwoods were in exile, or confined to remote districts, where it was believed their influence would be inconsiderable ; and although other ministers who abjured the Perth Articles still held forth to large congregations, yet both ministers and congregations were diminishing. As these clerics died away, and the patronage came within the influence of government, there was no lack of candidates, acceptors not only of the Perth Articles, but of the liturgy, canons, and of any other change, which indeed must have been vast if beyond the capacity of their accommodating consciences. Already some of the chief appointments in the Universities and the Church had been filled with men of unqualified conformity, and deaths would in due course have provided vacancies for others equally willing to advance and sustain extreme changes. The influence of these over the minds of their pupils and their auditors would, according to past experience, have insensibly wrought the change desired. But such tardy progress, such watching for advantages, were not in unison with Laud's fiery temperament, nor Charles's ideas of the submission due to a King's behests.

They were for a prompt and short route to the fulfilment of their wishes ; and we may not be suspected of want of charity, if we surmise, that they who would have tortured Felton, might not have been obstinately unwilling to have burnt a few presbyters. At all events they

raised an army, and would have given to Scotland the alternative of a liturgy or the pike.

It must not be forgotten that Prelacy had not been so much as admitted as a standing office of the Church in Scotland by any lawful assembly, but had been regarded constantly as "a great and insupportable grievance and trouble to the nation." \* Yet Charles resolved that the people should admit and use canons and a liturgy also. Those canons were prepared under the direction and supervision of Laud ; they were not in conformity with those of the English Church, and it is now certain that one of them, if not more, was couched in ambiguous and inconclusive terms to leave opportunity for future innovation.

Writing to his coadjutor in charge, Dr. Maxwell, Bishop of Ross, that Scottish gnat, unworthy of notice but for the effects of his mischief, he said—"I am very glad your canons are in so good a readiness, and that the true meaning of that one canon remains still under the curtain. I hope you will take care that it may be fully printed and passed with the rest. It will be of great use for the settling of that Church." † Those canons had never been submitted to a general synod of the bishops, much less to an assembly of the clergy, but was the work, under Laud, of the bishop just named, aided by Doctors Sidserfe, Whitford, and Bannatine, respectively bishops of Galloway, Dumblane, and Aberdeen. ‡ To enforce obedience to those canons, and for visiting ecclesiastical offences generally, the Court of

\* Laing's Memoir of Baillie, I. xxxii.

† Dalrymple's Memoirs, II. 13. ; Baillie's Letters, I. 437. (Edited by Laing).

‡ Burnet's History of his Times : Introduction.

High Commission was re-established. The royal warrant empowers subordinate local courts to be erected, in which one bishop, with six assessors, might summarily try not only charges of immorality, heresy, and sedition, but also deprive, fine, excommunicate, and imprison all ministers, masters of schools or colleges, and others, who spoke against the government, or against any of the conclusions passed at the Perth Assembly in 1618. \*

A further outrage against public opinion, and marked by every accompaniment of ill-advised haste, was the Proclamation in December, 1636, announcing the King's purpose to introduce a new liturgy, for the superseding of the presbyterian form of divine service, then employed throughout Scotland. That Proclamation commanded "all persons, both ecclesiastical and civil, to conform themselves in the practice thereof, it being the only form which we (having taken the counsel of our clergy), think fit to be used in God's public worship there." Yet that liturgy was not ready to be issued to the people for more than eighteen months.

The Act of the Privy Council commanding the use of the Book of Common Prayer, is dated December 20th, 1636 ; and, on the following day, it was proclaimed at the Cross of Edinburgh.

Baillie, writing to his friend Wilkie, one of the professors in Glasgow College, thus spoke the opinion of every sensible and moderate man among his countrymen.

"The proclamation of our Liturgy is the matter of my greatest affliction. I pray you, if you can command a copy by your money or influence, let me have one ; and

\* Baillie's Letters, I. 424. Appendix.



if it were but for two or three days, by this bearer. I am resolved to cast my studies for disposing of my mind to such a course, as I may be answerable to God for my carriage. However, I am greatly afraid that this apple of contention has banished peace from our poor Church hereafter for ever.

“In England, to this hour, as sundry episcopal books lately printed do testify, this fire is yet smoking, and ready, upon occasion, to break out for the trouble of that Church further than ever. Are we such modest spirits, and so towardly handled in this matter, that there is appearance we will embrace in a moment such a mass of novelties? I find (Bishop) Andrews himself, the demigod of the new factions, preaching before King James, in a writing dedicated to King Charles by this same (Laud, Archbishop of) Canterbury, showing that all Church laws, that all canons ecclesiastical, have always been made in Church assemblies, and not elsewhere. In England, it was so ever; the least ceremony never appointed but in the Convocation. Even if Andrews were silent, the constant practice of the Church doth evince this.

“It is to me a matter above marvel, how any one has attempted to move our sweet Prince to begin a new practice so late on our poor Church. Had we been truly, as once we were falsely, alleged, a pendicle (appendage) of the diocese of York, still more than a missive letter would have been used to have moved us to embrace a whole book of new canons, and more than one Act of Council to have made us receive a new form in the whole worship of God; prayer, sacraments, marriage, burial, preaching, and all.

“For myself, I am resolved, what I can digest as any ways tolerable with peace of conscience, not only in due time to receive myself, but to dispose others also, so far as I can by word and writing, to receive quietly the same ; but whatever be my mind, yet I am afraid sore that there is a storm raised, which will not calm in my days. It is a pity that we should have none to give our gracious Prince due information. They are dearly-purchased honours, which are the price of our poor country and Church’s peace and liberties, betrayed to the lust and set under the feet of some few foreign prelates, if not one alone. I may vent thus much of my grieved mind in thy bosom.

“Bishops I love : but pride, avarice, luxury, oppression, immersion in secular affairs, were the bane of the Romish prelates, and cannot have long good success in the Reformed.”

This utterance of wisdom from the manse of Kilwinning, dated January 2nd, 1637, was prophetic. The few ill-advising bishops did indeed find their mitres “dear purchased honour ;” for their price was years of distraction, bloodshed, and the life of their sovereign. Much nearer the truth were those observations than this comment upon the canons, which one is startled to find from the pen of Bishop Juxon. Writing to the Bishop of Ross, February 17th, 1635, he says :—“With your letter of the 6th of this month, I received your Book of Canons, which, perchance, at first will make more noise than all the cannons in Edinburgh Castle ; but when men’s ears have been used awhile to the sound of them, they will not startle so much at it as now at the first ; and,

perchance, find them as useful for preservation of the Church as the others for the commonweal." \*

When the Liturgy did make its appearance in the May of 1637, some months after the Easter when its use had been commanded to commence, it was found, where it differed from the English Prayer Book, only to approach nearer to the Roman Catholic ritual. Let it be granted that this estimate of the alterations was a mere phantom born of prejudice, yet this prejudice pervaded all ranks, and every individual of each rank. It was too general not to demand consideration, for it is an axiom, then too much disregarded, that the opinion of a whole people is rarely an error. Even such a man as Samuel Rutherford wrote thus from his prison cell in Aberdeen—"Our Service Book is ordained by open proclamation and sound of trumpet to be read in all the kirks of this kingdom. Our prelates are to meet this month for it and our canons, and for a reconciliation betwixt us and the Lutherans. The professors of Aberdeen University are charged to draw up the articles of a uniform confession ; but reconciliation with Popery is intended. If I saw a call for New England I would follow it." † Nor was the bench of bishops free from dissatisfaction at the new Church service. "You write," said Laud in a letter to the Earl of Traquair, "that some bishops speak plainly that if their opinions had been craved, they would have advised the amending of something ; and since, I hear from others, that some exception is taken, because there is more in that Liturgy in some few particulars, than is in the Liturgy of

\* Dalrymple's *Memoirs*, II. 18 ; Baillie's *Letters*, I. 438. Appendix.

† Rutherford's *Letters*, &c., Letter 51.

England. Why did they not then admit the Liturgy of England without more ado? But by their refusal of that and the dislike of this, it is more than manifest they would have neither." \*

With such widely-diffused dissatisfaction, and such want of unanimity even among the heads of that Church, of which the new Prayer Book was to contain the daily service, it would have been discreet to have had it quietly introduced; "for certainly," to use the words of Laud's reproof, "the publication a week before, that on the next Sunday, the prayers according to the Liturgy should be read in all the churches of Edinburgh, was upon the matter to give those who were ill-affected to the service, time to communicate their thoughts, and to premeditate and provide against it."† There seems reason also to conclude that Laud was correct in adding, "as it is most apparent they did;" for Sunday, July 23rd, witnessed such a rebellion against the appointed form of worship as was never paralleled by any tumult except in the interior of a public theatre.

In St. Giles's, "the Great Church," in Edinburgh, notwithstanding the presence of both archbishops, several bishops, the Privy Council, the judges, or "Lords of Session," and the magistrates of the city, the public feeling prevailed. No sooner was "the Buke," as the Scots designated the Liturgy, opened by the dean, than the congregation, those "of the meaner sort, many of them being women," overwhelmed him "with clapping of their hands, execrations, and outcries." In vain did Dr. Lindsay, the Bishop of Edinburgh, ascend the pulpit, and endeavour to assuage the excited congregation, his

\* Rushworth, II. 398.

† Ibid. II. 390.



lawn sleeves and other canonicals only served to exasperate the storm. "A Pope, a Pope! Antichrist! Pull him down!" were the exclamations which assailed him, and a stool hurled at his head would have silenced him effectually, if its aim had not been diverted by a friendly hand.\* It is true that the Archbishop of St. Andrew's, and others in authority, succeeded in clearing from the church the vociferous dissentients, and the service was read, but it was amid a storm of interruption, outcries, thunderings at the doors, and a fusillade of stones through the windows.

At other churches in the city the results were similar, with this difference, that the congregations proceeded to greater extremities and the service was altogether abandoned. In the streets the excitement was prolonged, and the Bishop of Edinburgh was nearly trodden under foot by the people; while the Earl of Roxburgh, Lord Privy Seal, was only saved by the swords of his attendants from being dragged from his coach.†

If it had been only "the meaner sort" and "women" that thus contended against the Liturgy, the Scotch Privy Council would not have forthwith proclaimed that "till his Majesty should signify his pleasure, neither the old service nor the new service be used in the interim."‡

\* Rushworth has left this memorandum preserved among the Sloane MSS. "I was at Edinburgh presently after the first disturbance by the woman throwing a stool at the Bishop's head—a small thing to be the beginning of a war."

† Rushworth, II. 388.

‡ Baillie's Letters, I. 448, Appendix. It has been truly observed, that some of the speeches of the commonalty showed that they had been tutored by better educated parties. One of the women who clamoured for the death of the Bishop of Edinburgh, when reminded that a worse man might succeed him, replied—"Nae, when Cardinal Beaton was sticked, we had never another Cardinal since then."—*Balfour's Stoniefield Day* (the name by which the Scotch designated that memorable Sunday), *Brodie*, II. 455.

In vain did the King issue reproachful proclamations; in vain did Laud vituperate Traquair, the bishops, and the corporation. It is true that the intervention of harvest occasioned a temporary lull, but no sooner did more leisure arrive than the tumults broke out with renewed violence, and assumed every form, from strongly reasoned petitions to the exercise of physical force the most outrageous. It was pointed out to those in authority that, in administering the Eucharist, the words of the English ritual had been exchanged for those employed in the Romish missal; and it was demonstrated, that such an innovation as a total change of the public worship required a much more formal authority than a Proclamation. These remonstrances not prevailing, the Earl of Traquair, the Bishop of Galloway, and others were attacked, besieged in the houses where they sought refuge, and narrowly escaped with their lives. In the conflict, the Earl lost his hat, his cloak, and his treasurer's white staff, and thus denuded, he was borne along like a malefactor by the crowd, whose cry now was, "God defend all those who will defend God's cause, and God confound the Service-book and all its maintainers." Fire-arms, and a promise that the people's complaints should be represented to the King, lulled the storm for a while.

Turning their attention towards England, to gather thence evidence of the consequences of submission to episcopal ordinances, and whether "justice tempered with mercy" was administered in its Courts of High Commission, the people of Scotland were confirmed in their resolves by witnessing some of the most pious of the clergy driven from their benefices because they

refused to advocate Sunday revels ; and by the cruelty of such sentences as those upon Prynne, Bastwick, and Leighton.

In Somersetshire and other counties it had been customary to hold an annual merry-making, "Revel—Wake—Church-ale—Clerk-ale—Feast," for so the title varied, annually in every village upon the day of the saint to whom its church was dedicated. If this festival fell upon the Sabbath, no respect was paid to its sanctity, and every other consideration was made to give place to "the revelry robust." To remedy this desecration of the Sunday, Lord Chief Justice Richardson and Mr. Baron Denham, when on circuit, confirmed, at the request of the local magistrates, some former orders for its suppression. Laud designated this "a banding together of humourists against the feasts," and shortly after proclamations were promulgated throughout England, commanding that the King's "good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women ; archery for men, leaping, vaulting, or any other such harmless recreation ; nor from having May-games, Whitsun-ales, and Morris-dances, so as the same be had in due and convenient time without impediment or neglect of divine service."\* Not contented with communicating this to the wardens or other officers of the parishes, the clergy were commanded to read it to their congregations during divine service. Hundreds refused to comply, upon the same grounds as were objected by the Reverend Mr. Snelling, pastor of St. Paul's Cray, in Kent. He pleaded that the

\* Rushworth, II. 195.

proclamation stated no penalty in case of refusal to read it, and therefore he declined from a conscientious belief that it was contrary to "the law of God, the law of the realm, and the decisions of councils." Hundreds refused upon these grounds; but without distinction they were brought into the High Commission Court and deprived of their livings.\*

Nor were the inquisitorial researches of this Court for causes to deprive of their benefices all who did not conform to Laud's measure of righteousness, restricted to this patronage of "The Book of Sports." The most trivial ordinances and customs were matters for High Commission Court inquiry, of which the following may serve as an instance. The writer of the letter, the Rev. Benjamin More, is described by Bishop Gibson as "the good old Puritanical parson of Guisley, who diligently and faithfully served the cure sixty-three years."†

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD, THE  
LORD FAIRFAX, OF DENTON, PRESENT THESE.

MY VERY HONOURABLE GOOD LORD,

MY long experience of your godly and Christian care of the peaceable and happy estate of God's Church in all places, causeth me to offer to your consideration the hopeful state of God's people about Bradford, furnished with two worthy preachers and a right able and honest schoolmaster, and a very

\* Rushworth, II. 459.

† Whittaker's Leeds, 211.



sufficient clerk both for learning and life, as I know any in all this country; all which helps that part of our country hath many happy years enjoyed to their great comfort and increase of religion, till now very lately some malignant spirits have blown up some sparks of contention into the sudden conceits of the archbishop's commissioners about their lofts, and about repeating sermons in their church; the lofts heretofore allowed, as others at Halifax and Leeds, and hurting no others, either of the liberty of sight, light, or hearing, and the repeating of sermons (wherein this clerk is chief, called Richard Horn,) being an open exercise used freely, sitting, or walking, or standing in the church after noon, long used, never forbidden. Yet now, this third week of September, nothing from Dr. Wickham, and Dr. Eastdale, but pulling down of lofts, and threatenings of imprisonment, of fines, and losing his place, to the utter undoing of the honest poor harmless clerk, his wife and children for ever, whom they took bound at Bradford to appear at the High Commission Court upon Thursday next, being also the scene-day.

The decrees are gone out, the execution only dependeth; your lordship seeth the mark of my pen, and the sum of my humble suit here, is the opportunity for your lordship's grave and honourable moderation to obtain a temperate qualification of so fearful execution, the terror whereof were sufficient punishment to greater offences; and that an equal hand of severity may be held over them at Bradford, as over Leeds, Wakefield and Halifax, for their lofts, exercises and conferences, &c. And thus, craving humbly your honourable, wise, and

gracious assistance herein, for the glory of God and the peaceable state of the Church, I rest,

At your lordship's commands in my best endeavours,

B. MORE.

Preacher and Rector of the Church there.

*Giesley, 29th of September, 1633.*

Against discipline so tyrannical as this, the moderate members of the Church coinciding and co-operating with the nonconformists, loudly raised their voices. Book after book issued from the press against this oppression, yet not so fast but they found numerous and eager readers, all condemning in no subdued terms the Ecclesiastical and Courtly conduct of the times. This expression of public opinion was rebellion in the eyes of Laud, and a decree of the Star Chamber, dated July 11th, 1637, strictly forbade under the penalty of "fine, imprisonment, or other corporal punishment," the printing or vending of books so "seditious, schismatical, and offensive, to the scandal of religion, or the Church, or the Government, or governors of the Church or State, or commonwealth, or of any corporation, or particular person or persons whatsoever." \*

Strong and comprehensive terms these, the intent of which could be narrowed, or extended to embrace almost any offence, or to justify almost any severity of punishment. In such phraseology Laud delighted, and, as we have seen he observed on another occasion, he was delighted when "the true meaning was hid under the

\* Rushworth, II. Appendix, 306.

curtain," because he found such "of great use for the settling of the Church." That the Church of England was now approaching the Church of Rome was considered so apparent, that Lady Anne Cavendish spoke truth as well as satire when she thus told Dr. Laud her reason for becoming a Papist: "I hate to be in crowds, and as I observe your Grace and many others are hastening towards Rome, I determined to get there before you comfortably by myself." Notwithstanding the decrees of the Star Chamber, however, never were pamphlets against the tendency to Popery, and the encouragement shown to its professors, so numerous as they were in the years over which we are now passing; but the favourers of that religion met this course of the popular opinion by an increase of persecution and punishment. Prominent among the sufferers were those mentioned in the following letter.

TO THE RIGHT HONOURABLE MY VERY GOOD GRANDFATHER,  
THE LORD FAIRFAX, AT DENTON, IN YORKSHIRE.

MAY IT PLEASE YOUR LORDSHIP,

MY wife's disease and mine is now, God be thanked, more weakness than sickness, which a short time I hope will recover. We owe great thanks to God that he was pleased to make so speedy an end to so sharp a beginning. It hath put us late in our journey down; yet my wife desires to perform her's into Norfolk to see her sister, and so doth my lady too, which I hope your lordship will allow of. Monday is appointed: if not that day, yet certainly some day that week; so that if you be pleased to send up any men, they need

be coming up next week. My Lady Townsend is now at her full account, and it may be her delivery will be whilst I am there, so I would not willingly be above a week, lest I too much throng the house. I cannot learn of much news, only I hear that the States are set down before Breda ; yet this report is doubtful. The Bishop of Lincoln \* is now in the Tower, suspended from all his livings, and fined 10,000*l.* to the King. The profits of the Deanery of Westminster are sought after by Dr. Duppa, the Prince's tutor. The fate of this bishop is much lamented, for he bestowed most of his revenues in pious works and charitable deeds, and the conferring to other hands will be a sensible loss to those that had tasted his liberality. Yet, although it is a just judgment for his infinite pride and ambition, which stood as offensive briars about so many sweet roses, he hath now a good memento to humble himself, but not so much means to work the accustomed good he used to do. At the dissolving of his family he showed that liberality was a natural disposition to him ; for after he had spoken a moving and eloquent speech to his servants, expressing his sorrow that he was forced to cast them off so suddenly, and deprived of means to reward the faithful service they had done him, in a passion he broke off, flinging from them in a confused manner, accompanied with tears, saying he must part, and after he was gone sent 2500*l.* to be distributed amongst them. Thus in the lowest ebb of fortune did he show the treasures of a rich mind. Yesterday, Prynne was sent to Caernarvon Castle, Burton to Lancaster, and Bastwick into Cornwall. My weakness now advises me to make

\* Dr. John Williams. Dr. Brian Duppa was afterwards Bishop of Winchester.



an end with my wife's and my humble duty presented,  
earnestly praying for your lordship's health, which shall  
ever be done with zeal by

Your lordship's obedient grandson,

THOS. FAIRFAX.

*Hackney, July 24th.*

The Bishop of Lincoln, so justly pitied by Sir Thomas Fairfax, was Dr. Williams, at one time Keeper of the Great Seal. He had been the supporter of the Duke of Buckingham and the patron of Archbishop Laud ; but having opposed their plans, the chief adviser of the King resolved upon his ruin. He was accused in the Star Chamber of betraying the King's counsels ; and the course of iniquity pursued by his assailants, from a tampering with his witnesses to a secret advising with his judges, may be read in the prolix, but learned and faithful pages of his biographer.\*

The following letter from this prelate, during his imprisonment in the Tower, to the Earl of Arundel and Surrey, entreating his intercession that he might be removed to some place where he might enjoy more quiet and a purer air, is interesting, and manifests the tyranny which had been exercised towards him.

TO THE MOST HONOURABLE AND MY MOST NOBLE LORD,  
THOMAS, EARL OF ARUNDEL AND SURREY, PRESENT THESE.

MY MOST HONOURABLE AND MOST NOBLE LORD,

NOT the hope of being able for the small  
remainder of my life to perform any proportionable

\* Hacket's Life of Williams, 112—126 ; Life of Selden, 214.

service or gratitude unto your good lordship for your former justice and favours towards me, by which I enjoy that little remainder I have of any civil or political being, but that innate propension which nature hath planted in every man's heart, to repair thither for help, where he hath formerly found relief, makes me (otherwise of myself not forward in this kind of boldness) to rush thus unseasonably upon your lordship's more serious affairs, upon these occasions of storms and adversities.

The Tower of London, my noble lord, is for his Majesty's greater affairs, from a fair palace and quiet abroad, turned of late to a fort or citadel, and become so full of soldiers and that kind of dirge or noise, which is most adverse and contrary to retired thoughts and the disposition of a student ; so that as I have been sequestered for above these three years past from the company of the living, so am I now bereaved from any conversation with the dead, and kept close prisoner from men and books in effect, until such time in the evening as these people are withdrawn into their private huts and cabins.

May it please your good lordship therefore, out of your own nobleness and pity, to procure me to be removed from this prison to any other place of abode where I may enjoy a little fresh and dry air, upon what terms, limitations, and conditions the King's Majesty or the lords shall hold convenient, the rather, my good lord, because there is received (or now due) out of my sequestered estate half as much more as my fine comes unto.

For his Majesty's last offence conceived against me,

about a proposition made unto and recalled from Mr. Hampden in twenty-four hours, I have to his Majesty taken the fault wholly upon myself, because others will participate of no burdens of this kind. It was in Hilary Term that the motion was made unto me, as from his Majesty, to petition for the putting off of that hearing, with full assurance I should be presently restored to my poor fortunes; and when I had so petitioned, I was notwithstanding kept from all means and liberty, my Parliament writ stopt, and never had any particular (though I earnestly called for it) brought unto me in his Majesty's name, but at the very night before the last Parliament was broken up,—and then, God he knoweth in what matter and manner that proposition, or rather question, was put upon me. Now my business with my kinsman, Mr. Hampden, was begun and ended ten or twelve days before that time, which his Majesty peradventure is not informed of; and further, I do not go about to excuse this accident otherwise than in humbly craving pardon of his Majesty if I have offended. Lastly, whereas your lordship, as Mr. Lieutenant tells me, hath heard complaints of some brables between a servant of mine and some of the warders of the Tower, be pleased to understand that that warder who complained unto me was quite drunk, as it seems my man was also, who hath been sufficiently punished already both by Mr. Lieutenant and the warders, and more severely by myself. But it is not worth the troubling your good lordship with what passed between that one warder and me, seeing that I am assured, and have good witness thereof, he was in such a case at that time as I could not possibly understand him, and therefore

might easily misunderstand me, and in consequence thereof misreport me.

My lord, whether I shall receive this favour or any other from your lordship, I am for those great ones already past, and the esteem I have ever borne of your most noble person, lady, and family,

Your lordship's most obliged servant  
and beadsman,

JO. LINCOLN.

*Tower, this 2nd of October, 1640.*

This is only one instance out of very many that might be quoted, demonstrating the cruel despotism practised during the eleven years which passed without a Parliament. It matters not whether reference be made to the pages of Clarendon, Franklyn, Rushworth, or Whitelocke, historians widely differing in their political bias, for all agree in narrating facts which demonstrate that it was a period of tyrannical misrule. This was apparent especially in the blind and cruel attempts to terrify men from all freedom in their religious opinions. This crusade against liberty of conscience was not confined to the torture of individuals only. It is true that Prynne, for the second time, with Burton and Bastwick, had been subjected to a mock, iniquitous arraignment, to the executioner's knife and branding-iron, as well as to solitary imprisonment, far away from all mitigating intercourse; but the effort to shackle the mind did not stop there. Many, willing to escape from such persecutions, were anxious to find a refuge in a voluntary exile to the then unexplored prairies of Connecticut, and among these were Pym, Haslerigg, John Hampden, and his



cousin Oliver Cromwell. It is a well-known fact that these gentlemen were actually embarked as emigrants, when an order of Council forbade their departure, and Charles thus unconsciously prevented the removal of the chief agent who consigned him to the executioner.\*

This tyranny over individuals at length extended to an attempt to sweep away liberty of opinion from a whole people, Charles resolving to silence it even by waging war against the Scotch. We have seen that this hardy race had dared to differ from the English Court upon Ecclesiastical government and discipline. They refused to assent either to Episcopacy, or to the admission of the Church Liturgy, and Charles being determined that they should accept both, brought disgrace upon his army, and eventually ruin upon himself, in the abortive attempt to carry out this despotic resolution.

In proportion as the menaces and danger became greater, so did the firmness and union of the Scotch increase; and they determined to bind themselves by that general league that has become so celebrated in our national history, as *The Covenant*. This popular compact was drawn up by Alexander Henderson, the most influential of their kirk ministers, and Archibald Johnston, better known by his subsequent title of Lord Warriston, and was finally revised and approved by Lords Balmerino, Loudon, and Rothes. This was early in 1638, and with so universal a welcome was it received, that in less than three months after, 20,000 Covenanters, and seven hundred of their ministers, assembled at Edinburgh, to meet the Marquis of Hamilton, sent down by the King to cajole them and foment divisions in their synod, whilst

\* Neale, II. 237; Walpole's Royal and Noble Authors, I. 206.

professedly treating for an amicable arrangement. That the Marquis came to deceive them, is no mere surmise, for the very instructions he received from the King in writing were "to put divisions among them," and to break them "by proving nullities in their proceedings," for than this, concludes this discreditable letter, there could be "nothing better." \* To thwart and to deceive them, was to be preferred to peace and agreement.

The wary Scots were not, however, to be thus deluded ; and finding that whilst negotiating with them, the King was actually on the point of embarking troops levied in Ireland for the invasion of their country, they at once set his representative at defiance. The synod refused to dissolve, but proceeded without delay to abolish Episcopacy, and to confirm the Covenant. With equal promptitude, and with befitting energy, they commenced preparations for a defensive war, and requested General Alexander Leslie, one of their most distinguished soldiers, to return from the continent, and assume the command of the army, whose motto was—"God and the Covenant."

\* Burnet's *Memoirs of the Hamiltons*, 88.

## CHAPTER IX.

The King determines to declare War—Sir T. Widdrington's Speech—Poetical Address—Ferdinando Fairfax appointed to a Colonelcy—The Courtiers attending the King mislead him—Letter of Ferdinando Fairfax—The King's Arrival—Regalia removed—The King deceived—Yorkshire Address to him—Deficiency of Money—Letter of Thomas Fairfax—Strength of the King's Army—Scarcity of Provisions—Letter of Lord Fairfax—Commanders of the Army—Letter of Ferdinando Fairfax—The King's Military Movements—Earl of Northumberland desires his friends to join—Mr. Procter's Letter of Excuse—Letter of Ferdinando Fairfax—Explains the Earl's meaning—General Order of the Earl of Arundel and Surrey—Letter of Ferdinando Fairfax—Other Commissions sent—Letter of Sir E. Osborne—Payment of Five Hundred Pounds—Letter of Ferdinando Fairfax—March to Carlisle—Letter of Sir T. Widdrington—The King at Berwick—Sir S. Harcourt arrives—Scotch Army not concentrated—Letter of Ferdinando Fairfax—Lord Clifford—Irish Forces—Rumour of a Pacification—Nobles adverse to the War—Protestation of Loyalty—Lords Say and Brook refuse to sign it—Expense of War fell upon the Nobility—Letter of Sir E. Osborne—Letter of Sir F. Fairfax—Bad Weather—Military Privations—Meeting of the English and Scotch Troops at Kelso—Disgraceful Retreat of Lord Holland—Sir John Suckling—Marquis Hamilton sent for—Unexpected advance of the Scotch—Baillie's description of the Army—Negociations opened—The King attends personally—Signs a Declaration of Peace—Letter of Thomas Fairfax—Fear of renewed Hostilities.

THE King having resolved to enforce submission to his will by an appeal to arms, set forth upon this crusade against Scotland, in March 1639, and on arriving at York on the 30th of that month, was there greeted with the following fulsome address. It was delivered by Sir Thomas Widdrington, then Recorder of the city, to whose disgrace, be it added, that within a few years

after, he took a part in administering the oath at the Protector's installation.

“MOST GRACIOUS AND DREAD SOVEREIGN,

“BE graciously pleased to pardon this stay, that we, the least and meanest motes of the firmament of your Majesty's government, should thus dare to cause you, our bright and glorious sun, to stand. Give us leave, who are the members of this ancient and decayed city, to make known unto your Majesty, (even our sun itself) where the sun now stands, in the city of York, which now, like an ill-drawn picture, needs a name ; a place so unlike itself that we may boldly say Niobe was never so unlike Niobe, never old man so unlike himself, being young, as is the city of York unlike the city of York. Heretofore an Imperial city, the place of the life and death of the Emperor Constantine Chlorus, in whose grave a burning lamp was found many centuries of years after, honoured with the birth of Constantine the Great, and with the most noble library of Egbert. I might go farther, but this were only to show or rather speak of our ancient tombs. This city was afterwards twice burnt, so that the very ashes of these antiquities are not to be found. And if later scars had not defaced our former glory, what was it truly in respect of what we now enjoy ? The births, lives, and deaths of emperors are not so much for the honour of York as that King Charles was once Duke of York. Your very royal aspect surmounts our former glory and scatters our later clouds. It is more honour for us that King Charles hath given us a new life, nativity, and being, by



a most benign and liberal charter, than that Constantine the Great had his first being here.

“ And for the lamp found in the grave of Chlorus, your Majesty maintains a lamp of justice in this city, which burns more clearly than that of Chlorus, and shines into five several counties, at which each subject may light a torch, by the brightness whereof he may see his own right, and find and taste part of the sweet and wholesome manna, here at his own door, which drops from the influence of your Majesty’s most just and gracious government.\* So that if the library of Egbert were now extant amongst us, that very idea of eloquence which the most skilful orator could extract out of it, could not be able to express what we owe to your Majesty, there being not any acknowledgment answerable to our obligations ; for, besides all this, the beams and lightening of those eminent virtues, sublime gifts, and illuminations wherewith you are endowed, do cast so forcible reflections upon the eyes of all men, that you fill not only this city, this kingdom, but the whole universe with splendour. You have established your throne upon two columns of diamond, piety and justice ; the one gives you to God, the other gives men to you, and all your subjects are most happy in both ; for ourselves, most gracious Sovereign, your Majesty’s humblest and meanest subjects, obedience, the best of sacrifices, is the only sacrifice which we have to offer to your most sacred Majesty. Yet, vouchsafe to believe, most mighty King, that even our works (such as they are) shall not resemble those sacrifices whereout the

\* These fulsome terms were applied to the oppressive Court of the Lord President of the North, and one of the first which was abolished in 1641 !

heart is taken, and where, of all the head, nothing is left save only the tongue. Our sacrifice is that of hearts, not of tongues. The memory of King Charles shall ever be sacred unto us, so long as there remain any altars, or that oblation is offered on earth. The most devout and fervent prayers of your Majesty's daily votaries, the poor citizens of York, are and ever shall be that the sceptre of King Charles may like Aaron's rod, bud and blossom, and be an eternal testimony against all rebels; and our most cheerful and unanimous acclamations are that King Charles may long live and triumphantly reign, and that this kingdom may never want a King Charles."

So false and fulsome address as this could not but be repulsive to the acknowledged good taste of the King; and with equal ill-feeling, if he heeded these lines which were presented to him on the same occasion, must he have remembered that the result of his expedition signally demonstrated that their author, however ardent a worshipper of Apollo, had received from that deity no Delphic inspiration.

TO THE KING.

Nor can religion be a garment fit  
T' apparel it;  
The colour is too purple to pretend  
To a white end—  
That Kirk's too black to be an ark of love  
That thus sends forth a raven for a dove.

Nor think it strange, great prince, that states should shake;  
Such motions make

More for fixation, and things part asunder  
To knit with wonder.  
This loosens not your state, but their design—  
Shakes it to tie it faster to your line.

Now doth the loyal heat of Scotland turn  
Wild fire and burn ;  
Nor doth the Majesty you sprinkle tame  
The unruly flame ;—  
For when such sacred oil meets with such fire,  
Then the rebellious flame doth sparkle higher.

Nor did your virtuous influence abate ;  
Which, in their state,  
You by no declination did begin  
A copy to their sin ;—  
No, you are still as good ; we that live near  
Your influence, live as loyal as we were.

But since your northern part, which being so far  
From you, thus dare  
Gather in clouds, take you a nigher station—  
Such vaporous combination  
Must see the sun more full ; since here you seat  
Your beams, they'll scatter at such royal heat.\*

In March 1638, by a commission under the hand of Sir Edward Osborne, father of the first Duke of Leeds, and Vice-President of the Northern Council, Sir Ferdinando Fairfax was appointed Colonel of a regiment, 1000 strong, of the Yorkshire Trained Bands, and in virtue of this command he was in attendance upon the King, on the occasion when the preceding addresses were delivered.

The attendance of peers and gentlemen to aid and

\* Fairfax MSS. The author is not named.

accompany the King in this expedition was not so numerous as his Majesty had been misled to expect. We are told by a contemporary historian, that the Court noblemen ridiculed the Covenanters, and professed to be merely annoyed at the degradation of having to fight with so mean a foe.\* This profession, however, was hollow : they had no stomach for the fray. This made them eager to seek excuses for being absent, but the gentry and lower grades of the English community sympathised with their Scottish brethren in what was considered a contest not merely against prelacy but papacy. M. Guizot and others upon whom he founds his narrative, state that Charles arrived at York, surrounded by extraordinary pomp ; but we shall find, from an eye-witness, that so far from that being the fact, the royal headquarters were but scantily attended. Defection was around the King, arising from a distaste for the service which pervaded all ranks, and was the origin and the guarantee of failure and disgrace. Clarendon and other contemporary writers assure us that there were not wanting courtiers, English as well as Scotch, who, for the ruin of some rival, in revenge for some slight, or for security in case of reverses, not only sent information to the Covenanters, but magnified their power and otherwise endeavoured to mislead by exaggerated and false reports. On the other hand, those from whom the King might justly expect accurate information, equally aided by their deceptions to lead him into false hopes, and into the mistaken measures which these hopes naturally suggested. Prominent among these was Dr. Maxwell, Bishop of Ross ; for this prelate, and others

\* May's History of the Parliament, I. 47.



of his brethren, had gone the length of assuring the King, that the Scotch people were in favour of the Liturgy.\* Such blindness and infatuation in all the prime movers of this arbitrary course seems inexplicable ; and we must rest now contented with the commentary on it by a wise contemporary, that “those who conducted matters at that time had as little of the prudence of the serpent as of the innocence of the dove.”†

In the following letter to his father, Sir Ferdinando Fairfax gives an outline of the opening proceedings :—

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

THE King is come hither with a very small train ; none of the lords attending him save the Lord of Lennox, the Earls of Arundel and Holland. I was with the general (the Earl of Holland) yesterday morning, and attended him to Court. I acquainted him with your lordship's infirmity and weakness, which he was very sorry for, wishing you had been in the best state of health at this time. There was warning yesterday morning that the Lord Lieutenants and Colonels should attend his Majesty at two of the clock in the afternoon. The King expressed his thanks for our willingness to this action, and required us to be ready and make preparations for a march on a sudden with the whole companies ; and instantly he gave dispatch

\* Clarendon's History of the Rebellion, I. 86. fol. ed.

† Burnet's Own Times, Book I.

to Sir W. Pennyman to march with his towards Berwick, whither on Saturday last were sent the forces of the Bishopric and Northumberland to keep and fortify it. The Sheriff's regiment and Sir Hugh Cholmondely have likewise order to march, so as the forces are sent by pieces and in much haste, to remain till the army advance. The Scots have taken the Castles of Edinburgh, Dalkeith, Stirling, and divers others, and have with their impure hands carried away the crown, sceptre, and other regal ensigns, to places of their own.

Here are some few lords, with their servants, come to bring ill-tidings, stolen out of the kingdom, which is now wholly of the Covenant side, save those few at Aberdeen, towards whom about six thousand persons are marched, and those given to be lost not so much by the sword, as by conventing to the Covenant, which all of that kingdom readily incline to. To-morrow (as the post yesterday brought word) is the day that ten thousand are appointed to meet near unto Berwick, and there stay and expect the English forces. It is thought they will take that town if they find any fortifying it, which will force our sudden march. The King now finds that his ears have been abused by pretensions of great forces on his side in that kingdom, whereas none now appears. I cannot write more at this time. As occasions happen, I shall acquaint your lordship further; and now, with my duty's remembrance, remain

Your lordship's humble and obedient son,

FER. FAIRFAX.

*York, this 1st of April, 1639.*

The "willingness" alluded to by the King was

expressed in the following address to his Majesty from the Yorkshire gentlemen whose names are affixed :—

“ MOST DREAD SOVEREIGN,

“ WE your Majesty’s most humble and loyal subjects and servants, the Deputy Lieutenants and Colonels of the county of York, having heard and considered of divers propositions made unto us by Sir Jacob Astley, Knt., Serjeant Major General of the Field, and Sir Thomas Moreton, Knt. and Colonel, conducing to the safety and defence of your Majesty’s whole kingdom, and more particularly of these northern parts, do, with all humble readiness and unanimous consent, profess that in case your Majesty, out of your princely wisdom, shall find cause to command our service, we with our own persons, together with the Trained Bands of this county (being double their ancient number, and the charge of any other county near us, proportionably), will be ready to march, with the arms charged upon us, to such place or places of rendezvous as your Majesty shall be pleased to assign ; there to enter into pay according to your Majesty’s instructions, signified by the said Sir Jacob Astley. Nevertheless, with all humble submission, we beseech your Majesty to take into your gracious consideration in what state and condition our county, fortunes, wives, and children, will be then left, when those forces shall be totally drawn from us, which, as we conceive, are and always have been seated and settled among us for our own defence and safety at home, and, for anything that we have ever heard or can find to the contrary, even in

times of greatest hostility, were never all at once employed out of our own county, upon any remote service whatsoever; nor can we but expect many insolences and disorders from such forces as shall be raised out of other parts for securing ours during our absence, as may appear by experience of some former times. All which we most loyally and dutifully submit to your Majesty's princely wisdom, being really confident that as your Majesty's most vigilant eye of providence ever watcheth over all your kingdoms in general, for the public peace and preservation, so you will be graciously pleased to take us and our county now into your royal consideration, who shall be exposed to most damage and danger in case your Majesty be enforced to enter into action. Thus beseeching God for your Majesty's long and prosperous reign over us, we humbly rest, your Majesty's most loyal subjects and obedient servants,

“ EDWARD OSBORNE  
WILLIAM SCOTT, MAJOR  
WILLIAM SAVILL  
JO. HOTHAM  
HENRY GRIFFITH  
WILLIAM PENNYMAN  
THOMAS MESHAM  
HENRY GOODRICK  
WILLIAM LISTER  
JO. RAMSDEN

HUGH CHOLMONDELEY  
ARTHUR INGRAM  
WILLIAM SHEFFIELD  
GEORGE WENTWORTH  
EDWARD RHODES  
THOMAS DANBY  
WILLIAM MALLORY  
GEORGE BUTLER  
ROBERT STRICKLAND  
ROBERT ROCKLEY.”

Notwithstanding the slender attendance of noblemen upon him, and in defiance of this remonstrance, strongly indicative as both of these were of the national distaste to the expedition, the King persisted in pressing forward towards the Border. These were not, however,



the only considerations that should have made him pause. It ought to have been sufficient to induce him to further deliberation, when he discovered that the Scots were united as a nation in favour of the Covenant, and that the English were not hearty in this attempt to forbid their fellow-subjects the liberty of opinion. A paramount reason, however, which should, have made Charles absolutely refrain from advancing and concentrating his army, was the acknowledged fact, that provisions were scarce, and that there was no money wherewith to pay his troops. These circumstances, apparent even to the subalterns of the forces, are thus related by Thomas Fairfax to his grandfather.

TO THE RIGHT HONOURABLE MY MUCH HONOURED GRAND-  
FATHER, THE LORD FAIRFAX.

MAY IT PLEASE YOUR LORDSHIP,

I INTENDED to have returned your bald horse this day, but because I thought your lordship would not use the other yet, and having some delight in his going, I thought to keep him till I received your lordship's commands, which now I have, and as ready do observe. I fear he will want something of what is required in a good stallion ; his age is much, and his body but small, yet he is of a good race and well spirited, and, as I hear, hath got both larger and handsomer horses than himself. My lord, we have no news from the north ; the army is not yet got together ; it will fare the worse when it doth, for provisions are very scant ; the forces there and on their march thither, are 4000 horse and 18,000 foot.

We hear the Scots have writ another letter to my lord of Essex, which he sent to the King before he broke it open. We have not yet heard the subject, but we may well think that these weighty matters cannot receive an end from the small satisfaction of a letter ; yet, if it please God, He can do it by this or yet weaker means ; into whose mighty protection I commit your lordship. Humbly begging your blessing, I rest, my lord,

Your lordship's most obedient grandson  
and servant,

THOMAS FAIRFAX.

*York, May 6th, 1639.*

The writer of this letter had the command of a troop of horse in the King's army, so little was the Fairfax family inclined at that time to act against their Sovereign. The old lord, always anxious that his grandson should rise eminently in his military career, and in accordance with his former pithy advice, "Tom, Tom, mind thou the battle !" thus addressed him :—

TO MY VERY LOVING GRANDCHILD, THOMAS FAIRFAX,  
CAPTAIN OF A TROOP OF HORSE IN HIS MAJESTY'S  
SERVICE.

TOM,

I DESIRE you to be mindful to serve God with all your soul, and the King with all your heart. You know in what obligations you are bound to my Lord General, therefore apply yourself to him with your best respects, and I do not doubt but he will regard you. Avoid private quarrels as much as you can, and show

your valour upon the common enemy ; the first will but show your pride, and bring you hatred, the second give you honour and reputation. I write this, because amongst so many as you shall converse with, you shall meet with men of various humours. I have by this messenger sent the bay gelding to the Honourable Mr. Percy, praying him to accept him, and to place some of his own servants on him, for you may tell him that mine are so divided between your father and you, as I have not one to spare. Nickson did offer himself to go, but, when it came to it, alleged his wife and children could not spare him. Let me hear from you as often as you can, for where I dwell I hear nothing of those affairs. My prayers shall always be for the King and the good success of the army, and thus, with God's blessing upon you all, I end.

Your very loving grandfather,

THOMAS FAIRFAX.

*From Denton, 12th of June, 1639.*

The determination to press hostilities vigorously appeared in the movements which now took place. The Earl of Arundel, Commander-in-Chief, with the Earl of Essex as his Lieutenant General, and the Earl of Holland as General of Horse, advanced by forced marches towards Berwick, which was certainly threatened by the Scotch, and even by some said to have actually fallen into their hands. The latter rumours proved to be false. As the subsequent movements of the troops are narrated in the following letters, they may be given without comment :—

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

HAVING formerly received a letter from my Lady Vere, that the 2000*l.* arrear of my daughter's portion should be paid the first of this month, I desired (because of his Majesty's coming hither, and the many employments we might have at this time) that her ladyship would please to keep the money till the first of the next month, at which time my son Widdrington might be got to London, who might be intrusted for receipt of the money, and deliver the deeds of Ovington, which are as mortgage for that payment. The last post brought me this inclosed, in the conclusion whereof my lady writes, the money shall be kept till that day, which is the first of May.

I have acquainted this bearer with all that is known here of the Scottish business. My Lord of Essex entered into Berwick with 1400 on Tuesday last, and my Lord Clifford had 500 good soldiers sent him into Carlisle the same day, which came out of Ireland. The country people come into both towns, and raise works which are not yet hindered by the enemy; they were then marched to Aberdeen, which is now said to be taken, and about 3000 good arms, lately sent by his Majesty to his own party, they got; likewise forty good pieces of cannon, and other artillery in the castle of Edinburgh, with good store of powder there and at Dalkeith. The Marquis Huntley is gone further north, to a castle of his, where he remains with some small strength about



him ; it is thought he will not be attempted, but the forces brought to the borders, there to attend the movings of the English. I desire your lordship to excuse my haste.

Your lordship's humble and obedient son,

FER. FAIRFAX.

*5th of April, 1639.*

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

HERE is little news either from the Court or army, only that my lord of Lindsey is got to his government at Berwick. All the present regiments by the latter end of this week will be got about Alnwick, which with those that are drawn up to the frontiers, will make 17,000 foot, besides 3500 horse. Sir John Melton told me that my lord of Northumberland desires those gentlemen that hold lands of his manors should now show their affection to him. His earnest suit to his Majesty was to have come along this journey, but it was not granted, so as this new troop is to be commanded by Mr. Henry Percy, his brother, who requires only man and horse complete, who shall presently enter into pay, without any further charge to the owners. Mr. Percy is returned into the north, from whence Mr. Potter, my lord of Northumberland's solicitor, is come, and says, Mr. Percy will send notice shortly of the time and place where he would have them meet him. I cannot hear yet what others will do, or whether there will be other summons than these intimations.

My son Charles went yesterday to Hull. The ship is ready, and the wind this day reasonable good. This is all I can now write, humbly resting,

Your lordship's humble and obedient son,

FER. FAIRFAX.

*York, this 9th of May, 1639.*

TO THE LORD FAIRFAX.

MY VERY GOOD LORD,

THIS intimation implies a desire which yet is but of courtesy, and therefore ought as willingly to be excused in those who are so many ways charged as is your lordship both at home and abroad, by these instant occasions. It is not of right to be commanded, nor of due to be performed; though of such gentlemen of worth who are fitted, over and besides their private charge to his Majesty, I must needs confess (as your lordship much better knows) that it were a thing well beseeeming them to apply and supply what they with conveniency can, to the so noble and worthy intentions and desires of so great and honourable person, and so high an officer to his Majesty, as is this Earl. Oh how willing should I be, if I were not depressed (as I have unfolded to your servant), to furnish some to be sent from your honour to such an employment, if I had not been so lately as I was, disfurnished of means, and am (in these hard times) to prepare more, and that speedily to be stripped out of that also. So do I still turn the wheel of my adverse fortune. With most humble and

inmost affectionate thanks I feel your lordship's goodness towards me, and rest ever,

Your sincere and humble servant,

THOMAS PROCTER.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I HEAR nothing yet of my own or any other remove, though it hath been rumoured at Court that more forces should speedily be called on. We hear that the King's last proclamation had an ill reception in Scotland, and was instantly answered by a flat declaration against it.

On Monday last the Scots showed themselves about 20,000, near unto Berwick, but attempted nothing. Yesterday, at Newcastle, war was proclaimed against that nation, which is like to hasten our going. I had not sent back this messenger, but to bring this inclosed letter from R. Lawson.

I think the case to aid my lord of Northumberland with a horse and man for his Majesty's service was not right put to Mr. Procter; the Earl doth not challenge it as a due, but as a favour from his friends, which I hear Sir Walter Vavasour, Sir Peter Middleton, and many other gentlemen who hold land of him, have very readily assented unto. His lordship intended to have commanded them himself, but being hindered by his greater employments, desired that the same favour should be done to his brother, who as yet is his heir. Sir John Melton showed me his letter, desiring that the men to

be sent, should be at Berwick before the end of this month; what intimation of the letter is given I know not, without some particular notice of which none will move. I received a letter from my sister Constable, by this post, as also another from Sir William Sheffield, of some news too long to write out, and therefore have sent it. When I hear further, I shall acquaint your lordship, resting,

Your lordship's humble and obedient son,

FER. FAIRFAX.

*York, this 17th of May, 1639.*

At length the order to march was communicated to Sir Ferdinando Fairfax in this general order :—

TO MY VERY LOVING FRIEND THE LORD FAIRFAX, OR  
SIR FERDINANDO FAIRFAX, THESE.

AFTER my hearty commendations,—Whereas his Majesty intendeth, in his royal person, on Friday next, to encamp at Goswick, near the town of Berwick ; and to that purpose hath commanded me his general to march hence on Monday next, with his army, to be ready upon the place to attend his coming: his Majesty also finding it fit to increase his army, and being most confident and assured of your zeal and forwardness to his service, hath therefore commanded me to let you know it is his pleasure that you prepare yourself to attend him in this action ; and that you presently assemble the regiment of trained men, whereof you are colonel, according to the commission I have sent you ; and immediately to march with it to Newcastle, where



from the Treasurer of the said army you shall receive an advance of pay for all the officers and soldiers of that regiment ; and thence to march forward at Goswick, there to expect his Majesty's further command, or mine as general of his army. In the due performance of all which, you are to use all possible care and diligence ; of which no way doubting, I remain,

Your very affectionate friend,

ARUNDEL AND SURREY.\*

*Newcastle, 17th May, 1639.*

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I RECEIVED late yesternight this inclosed commission and letter. It seems your lordship's name, standing still in the list of the colonels, it was thus doubtfully directed, though a month ago, by your lordship's directions, I spoke to Mr. Vice-President, and then he gave me a commission of the regiment to myself, requiring a return of the other at best convenience. He is now out of town at Keeton, so as I cannot get a commission for lieutenant Atkinson to command Sir R. Hawksworth's late company ; I have sent to every captain of the regiment to make their companies ready, and to be at Knaresborough on Friday night next, to

\* Thomas Howard, Earl of Arundel and Surrey, was appointed General of the King's army against Scotland, during this expedition. He was a man of courage, as well as a distinguished patron of the fine arts, having spent much of his time in Italy. He retired thither, and died in 1646, leaving behind him, as the result of his experience, the opinion that "he who could not draw, could not be an honest man."

set forwards the next day, which is all the time I could well give. Considering the intimation given of our speedy coming to the army, there are the like commissions given and sent to Sir Jo. Hotham, and Sir Thomas Metham, and likewise to Captain Butler and my son, to go with their troops of horse, who set not forward till Monday or Tuesday the next week. In this short time of my stay here, and necessity of being present for receiving and giving directions for the carriages and providing necessaries for myself and the regiment, I much fear I cannot come to receive your lordship's commands at Denton, unless it be on Friday morning, for an hour or two, which I will endeavour to do, and certify your lordship as occasions serve of such things as shall happen, now resting in much haste,

Your lordship's humble and obedient son,

FER. FAIRFAX.

*York, this 20th of May, 1639.*

I have herewith sent the commission and letter, desiring they may be returned to-morrow by Stainforth.

[For his Majesty's special service.]

TO MINE HONOURABLE FRIEND AND COUSIN SIR FERDINANDO FAIRFAX, KNIGHT AND COLONEL AT KNARESBOROUGH, WITH ALL POSSIBLE SPEED THAT MAY BE.

*(Haste, haste, haste !—post haste, haste !—for life !)*

SIR,

THIS night since ten of the clock I received this inclosed from his Majesty, which I send you, that by the perusal you may better understand his Highness's pleasure, than you could do by my representation.

If my cousin Mallory be with you, I pray impart it to him, for he is therein concerned in particular. You may perceive there is 500*l.* to be advanced to you, but when or where appears not ; if any order come to me about it, I shall use my best diligence to hasten it after you. It seems you must not expect pay to begin from the King till you pass the confines of Yorkshire. I pray, Sir, let not that Clapham who served me, whose Christian name I remember not, command his brother's company as his lieutenant or otherwise, unless his brother will make choice of him when he comes to his company ; for he that cannot command or govern himself is not fit to command others ; and withall I have told him, he shall not have any command in that company unless his brother desire it, so as it will be an affront to me if he do it against my will. Let me now understand from you the several towns or places you mean to lodge at every night in your way to Carlisle, that I may send unto you if there be occasion. Thus, Sir, in haste I must abruptly end, but shall wish you all happiness and good success, and remain truly your affectionate cousin and servant,

EDWARD OSBORNE.\*

*York, the 24th May, 1639, at 11 in the night.*

I pray return me the King's letter again by this post.

\* Sir Edward Osborne was Vice-President of the North, and Lieutenant General there during the Civil War. His son was the first Duke of Leeds.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I HAVE this morning at three of the clock received directions from his Majesty, signified to the Vice-President, to march towards Carlisle. I am heartily sorry for the change, having taken course by my son-in-law for accommodations the other way. I shall remain all day to-morrow at Ripon, importuned by all the captains, and necessitated for stay of the rest ; all companies are defective of their number. This is all I can now certify, save my request that your lordship will spare Ward a day or two, for he serves me now as a quarter-master to provide lodging and victuals.

I humbly rest your lordship's obedient son,

FER. FAIRFAX.

*Knaresborough, this 25th of May, 1639.*

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

To excuse my so long employing your servant Ward in this journey, I found my own so useless, and him so necessary for an office of quartering, as we had much failed of many necessities by his absence. Now I have got a quarter-master, my cousin Waterton's son, of good skill in the mathematics and very industrious. We hold on our course to Carlisle, and have not met with many inconveniencies yet to be feared in our further travel. The Vice-President sent me 500*l.* for



paying the regiment, yet not to begin till we pass the confines of this county, which will be Thursday. We hear nothing of the Scottish affairs, nor can I now hope for that conveniency of sending I might have had from the other quarter, so often as I may. I shall not fail to write to your lordship, and now remain

Your lordship's humble and obedient son,

FER. FAIRFAX.

*Richmond, this 28th of May, 1639.*

SIR THOMAS WIDDRINGTON TO LORD FAIRFAX.

MY LORD,

BEING now returned from Berwick, I am desirous to give your lordship some account of my travels, but the account will fall out to be both short and imperfect. The King himself lodged at Berwick two nights, the army being planted very near him. And upon Monday last the King himself went with the army to a place called the Birke, and westwards, two miles up the river from Berwick, and there left it, where it yet remains. The army was in some want of provision in the march, which made them do much harm in the country : this want was occasioned by the negligence or ignorance of those who were to make it ; but they are now well supplied. The King himself came into Berwick upon Monday night last, and lodgeth in the palace ; and that same night Sir Simon Harcourt landed, and his regiment, being three thousand, landed the next morning at the Holy Island. The Earl of Holland and the horse-quarter are placed with my brother Selby at Twisell, which is a finer seat than

I could have imagined to be in that place. General Leslie himself was at Aton, within five miles of Berwick, upon Wednesday se'nnight last, being only attended with some thirty horsemen.\*

It is not yet known that the Scots are drawn into any army, but they are scattered up and down the country in small companies, and are (without doubt) a multitude of people. The King's forces are not yet above fourteen thousand. Since my coming from Berwick the news are that the King hath given way to a treaty of peace between six English lords and six Scotch lords, Covenanters, and I think the meeting is past before this time ; I know not what effect it hath produced. I met my brother Fairfax and his troop at Darnton upon Friday night, and saw him march from thence upon Saturday morning. I doubt I have been too long in my relations. I do again desire your pardon for them and myself, and I shall ever according to my bounden duty remain,

Your lordship's humblest servant,

THOMAS WIDDRINGTON.†

*York, the 3rd of June, 1639.*

I purpose (God willing) to take journey towards London on Monday next. Since I wrote these lines, I understand that the King now lies in his tent with the army, and will admit of no treaty unless his castles and houses be first given up.

\* Alexander Leslie, Earl of Leven, commanded the Scotch army.

† Sir Thomas Widdrington, Recorder of York, whose fulsome address has been already noticed. He married Frances, daughter of Sir Ferdinando Fairfax. His "brother Fairfax" was Thomas, the future Parliamentary General.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE  
LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

THIS gentleman, my lieutenant, can inform your lordship the best in what condition we are, whose absence I could not have allowed from the company, but that he affirms a great necessity for his particular estate a few hours to settle, and has promised to return on Saturday night. We want ammunition and pay, having neither powder nor match, nor money from the treasury. I have writ to the Vice-President, and often acquainted the Lord Clifford, our general here, who endeavours in our supplies, and daily looks for it.\* I cannot write of any apparent danger threatened to these parts by the Scots: yet, now, upon coming over of some Irish forces, which are said to be landed, about 2000, for the carriage of whose provision the whole county is called on, I think the Scots will draw to these quarters, and we called on. This is all I can yet write; humbly resting

Your lordship's obedient son,

FER. FAIRFAX.

† *Perith, the 11th of June, 1639.*

The rumour mentioned by Sir Thomas Widdrington proved correct; the two armies did not meet in this unjust and unnatural warfare, and a pacification was concluded between the belligerents.

We have already shown the misinformation and the inauspicious circumstances, which marked the first

\* This was Henry, the last Lord Clifford. He died in 1646, leaving no male issue.

† Perith is beyond Appleby, in Westmoreland.

determination of entering into this hostile movement, but it has hitherto remained unexplained why the conclusion was so hastily assented to by the King, without his having attained a single object for which he had unsheathed the sword. Clarendon attributes it to the wish generally expressed by the noblemen around the King, "that the business were brought to a fair treaty ;" a wish which found a ready attention from one who, like Charles, was disinclined to bloodshed, and prone to irresolution. There is, no doubt, some truth in this ; but it does not give us the whole truth. The following letters will throw a clearer light upon the motives which urged even those leaders who were most sincere in the cause to urge upon the King the necessity of settling his differences with the Scotch by a peaceful negociation. What other view of the case could have been taken by men who were coerced into the injustice of sustaining the war from their own private contributions ?

TO MY HONOURABLE FRIEND AND COUSIN, SIR FERDINANDO FAIRFAX, KNIGHT AND COLONEL, THESE.

SIR,

I AM desirous to dispatch this messenger, my servant, unto you with such haste as I cannot enlarge myself as I would. He brings you 500*l.*, which, by directions from the Treasurer of the Army, but even now received, I am to draw of the 2600*l.* per annum, which my Lord Deputy (Lord Wentworth), Sir George Wentworth his brother, Sir George Radcliffe, and my brother Wandesford, do contribute to his Majesty's supplies during the continuance of the wars.

I must desire you to return me these two acquittances signed by yourself, the former being drawn and sent me



from Sir William Unsall, the one to discharge me, the other to remain with him, the Treasurer, whereby to charge him upon his account.

I should most willingly move for your change to Berwick, if there were time for it, but now it is impossible, your arrival at Carlisle being expected with all speed. I believe my cousin Mallory will be called thither ere long. I pray, therefore, commend me to him, and desire him to acquaint me as speedily after his summons as may be (if I have not notice of it first), that I may advance 500*l.* for him likewise, if it be possible before he march.

I am very well pleased that you employ Mr. Clapham's brother you mention ; for, as I am informed, he is appointed the captain's lieutenant by himself. But he that served me is not yet fit or worthy of a command until his carriage be better. The gold is just the same I received from Mr. —, and he saith is all right. God of heaven speed you well, and prosper his Majesty's design ! which shall ever be the prayer of, Sir,

Your affectionate cousin and servant,

ED. OSBORNE.

*26th May, 1639, at three in the afternoon.*

Before I received your letter I had acquainted Secretary Coke that you were colonel in your father's stead, because I found him ignorant thereof.

This miserable 500*l.* was all the money received by Sir Ferdinando Fairfax for the pay and provisioning of his thousand cavaliers. He thus describes his difficulties—difficulties encompassing every colonel of the royal

army,—in his endeavour to keep his men together, without money and without rations!

FOR THE RIGHT HONOURABLE THE LORD FAIRFAX, AT  
DENTON.

MAY IT PLEASE YOUR LORDSHIP,

WE are so shut up among the mountains, as we hear nothing from any place unless by messenger sent purposely; nor is my Lord Clifford's intelligence, for the most part, of what is done in the King's army, but from York to London. We rest still where we first settled, and exercise the regiment every day, if the weather give leave. On Thursday morning last, the hills were all covered with snow, and (if the rule hold in summer as in winter) we are like to have more, for the ribs (wreaths of snow) lie still on the mountains.\* The winds for these four days would not suffer our tents to stand, but often blew them down.

Here has been a daily expectation of some Irish forces, but they are not come. The forces we have on this border are very small; four hundred of well-disciplined Irish, commanded by Sir Francis Willoughby, and six hundred of this country's bands, commanded by Sir Philip Musgrave, which is all the foot. Besides this regiment, these three counties are to find six hundred dragoons, under Colonel Trevor (whom most call Trafford), but not one of them under my Lord Clifford; nor can he have his own troop from the army, which makes us conceive the State thinks little danger of the enemy entering this way, as seems

\* The writer alludes to the provincial saying, that snow which lies long is waiting for more.

by their preparations, and neglect to pay us. We had 500*l.* of advance-money sent us to Ripon, but nothing since, so as the soldiers had perished, but for the small stock was given them at their setting forwards, which is now spent ; and if supply come not before Saturday next, we are in danger to disband. I must think this regiment the most miserable of all others, and myself unhappy in it, to be removed so far from his Majesty and the other regiments of my county, and to be the first put upon such straits as must either undo or dishonour ourselves and the action. I have often, both by word and writing, presented our case to the General, and he to his Excellency, but are put off every day, with fair promises of supply. If we hear nothing to-morrow from the Treasurer, I shall send the next day to his Excellency for supply or leave to return, which, if it be denied, I cannot keep them together.

I shall humbly desire your blessing,

And ever remain

Your lordship's humble and obedient son,

FER. FAIRFAX.

*Perith, this 18th of June, 1639.*

Sir Thomas Carleton died about four years ago. His lady is blind. She presents her service to your lordship.

The levy which had been made for the support of this burlesque expedition, pressed so heavily on the people, and was otherwise so unpopular, that in numerous cases the returns made to the commissioners appointed to collect the tax, represented the recusants to be in

such a state of poverty, that they were unable to contribute in the smallest amount. Mr. Charles Suckling, of Woodton, the uncle of the poet, being charged 17*l.* 3*s.* 10*d.*, sent back this cautious answer : “ Charles Suckling, Esq., his answer is, that he doe not refuse to paye, but he have no munny.” In some cases, the people declared that, “ in tradinge, times are soe hard, that they can skerslie mayntayne their charge and famylie ;” and “ others,” as recorded by the returns, “ give no answer, and are not to be spoken with.” The oppression to which the people had been subjected, had already reduced them to extremities ; but there was, in addition to the necessity of the case, a strong and general reluctance to assist the King. The result was, that by the time the army found itself on the banks of the Tweed, where one who was present humorously says they were “ walking up and down like the Tower lions in their cages, leaving the people to think what they would do if they were let loose,” their resources were nearly exhausted. It is hardly necessary to look farther for an explanation of the advice given to his Majesty by noblemen and gentlemen who could no longer afford to pay for an enterprise, of which, some of them at least, disapproved. “ There are some, sir, here,” says Suckling, “ that have an opinion, necessity, not good-nature, produced this treaty.”

The deficiency in the military chest and in the commissariat was not felt by Fairfax’s regiment only, but by the entire army, and the discontent and disaffection were proportionate. Unsatisfied as to the justice of their cause, ill-fed and unpaid, the generals dared not lead them into action, even when brought into the



presence of their opponents. The first and only time that they were thus confronted was at Kelso.\*

On this occasion the Earl of Holland advanced with a train of artillery, 2000 horse and as many foot soldiers, to that village where the Scots had gathered under General Leslie, ill-armed, mostly country people, and in numbers variously estimated at from 1500 to 6000. Assuming the larger number to be the correct estimate, and admitting that our cavalry had out-marched the infantry, yet a halt of a few hours would have effected a junction, and the English army might then have been spared the ridicule and the depression insured by such a miserable finale. A trumpeter from the Scots obtained admission to ask the obviously needless question—"Who are ye, who come in such war-like array into our country?" and then my Lord of Holland sent his trumpeter to desire that they, the Scots, would retreat! "They asked," says Sir Harry Vane, "whose trumpet he was?" and upon his replying, "My Lord Holland's," they told him, "It were best for him to be gone," and his lordship evidently thought so too, for he fell back forthwith upon Berwick. These unsuccessful attempts, says Rushworth, gave great discouragement to the King's army, and the murmurs of the private soldiers were for some honourable movement, rather than to lie exposed to privation and the inroads of disease.†

\* Clarendon is in error, both as to the time and place at which this meeting occurred. He states that it was at Duncce, in the month of August, whereas it was at the place above-named, and on the 3d of June. It is quite true a similar advance had been made to Duncce, but then no enemy was met with.

† Rushworth, II. 936; Nalson, I. 231. These authorities state that Lord Holland's force comprised one thousand horse and three thousand foot. Baillie says, "His (Holland's) soldiers that day were a great deal more nimble in their

This disgraceful retreat has acquired more notoriety from the famous lampoon of Sir John Mennis upon a contemporary poet, Sir John Suckling, who was engaged upon the occasion, than from any importance attached to it by history.\* Sir John Suckling, with most loyal munificence, presented his Majesty with a troop of one hundred horsemen, which he clothed and maintained at his own expense. The uniform he adopted for them exposed him to the unmerciful ridicule of the satirist—white doublets, with scarlet coats, breeches, and hats, and a feather of the same colour stuck in each man's bonnet. The organisation of this body was said to have cost no less than 12,000*l.*, a sum which, taking into consideration the value of money at that period, must be an absurd exaggeration, unless it was meant to include the pay and maintenance of the men during the entire term of their service. The injustice of the lampoon in attributing special cowardice to Suckling is manifest enough. He merely shared the disgrace of the whole army, which fled *en masse*. His troop formed too insignificant a portion of the whole to be distinguished by its poltroonery from the rest. The real odium of the affair rested with Lord Holland, who ordered the retreat ; a general described by Sir Philip Warwick as “fitter for a show than a field.”

The total discomfiture of the army—the sudden flight—the visible unwillingness of the troops to retrieve an infamy which Englishmen have never borne with patience, convinced the King at last that the war was

legs than arms, except their cavaliers, whose right arms were no less weary in whipping than their heels in jading (spurring) their horses.”

\* “Sir John he got on an ambling nag,” &c.

unpopular, and that all further attempts to force Episcopacy upon the consciences of the Scotch would prove to be hopeless. And so, with reluctant and dogged submission, he set himself about the task of endeavouring to make terms on the spot where he had arrogantly expected to dictate them.

Not a day was now allowed to be lost without an effort to bring about a satisfactory negotiation. But this resolution was not wholly free from the suspicion of being controlled by fear as well as necessity, for the messenger summoning the Marquis Hamilton to council on pacific measures, might have caught sight in his backward glance of the Leslie banners, that transmitted confusion and dismay even to the royal pavilion. His Majesty and all his gallant cavaliers had been in arms that morning, and scarcely had the parade passed off, and the horses been uncaparisoned, when Sir John Biron rode through the camp, nor did he check his speed until he reached the royal pavilion, and announced the alarming intelligence that the Scottish clans were advancing within sight. The King, less excited than his informant, viewed his tartaned adversaries through his glass, and observed that their colours were not advancing, but that their tents were pitched. Then turning to the scout-master, he said with bitterness, "Have not I good intelligence when the rebels can encamp within sight, and I not have a word of it until the body of their army give the alarm?" Roger Widdrington, the scout-master, bore the blame of this surprise, and the vulgar mind condemned him rather than his emissaries, "because he was a Papist."

Baillie, who was with the Scotch army, says that the King over-estimated it at 16,000 or 18,000 men, for that



it was no more than 12,000 ; but, he adds, “ It would have done you good to have cast your eyes athwart our brave and rich hill, as oft as I did, with great contentment and joy, for I (quoth the wren) was there among the rest, being chosen preacher by the gentlemen of our shire, who came late with my Lord of Eglinton. I furnished to half-a-dozen of good fellows muskets and picks, and to my boy a broad sword. I carried myself, as the fashion was, a sword and a couple of Dutch pistols at my saddle ; but I promise, for the offence of no man, except a robber in the way ; for it was our part alone to pray and preach for the encouragement of our countrymen, which I did to my power most cheerfully.

“ Our hill was garnished on the top, towards the south and east, with our mounted cannon, well near to the number of forty, great and small. Our regiments lay on the sides of the hill, almost round about ; the place was not a mile in circle, a pretty round rising in a declivity, without steepness, to the height of a bow-shot ; on the top somewhat plain, about a quarter of a mile in length, and as much in breadth, as I remember, capable of tents for 40,000 men. The crowners (colonels) lay in kennous (canvass) lodges, high and wide ; their captains about them in lesser ones, the soldiers about all in huts of timber, covered with divott (turf) or straw. Our crowners, for the most part, were noblemen : Rothes, Lindsay, Sinclair, had among them two full regiments at least from Fife ; Balcarras, a horse troop ; Loudon, Montgomery, Erskine, Boyd, Fleming, Kirkcudbright, Yester, Dalhousie, Eglinton, Cassillis, and others, either with whole or half regiments. Montrose’s regiment was above 1500 men in the castle of Edinburgh : himself was expected ; but what detained him ye shall hear at



once. Argyle was sent for to the treaty of peace ; for without him none would mint (attempt) to treat : he came and set up his tent on the hill ; but few of his people with him. It was thought meet that he and his should lie about Stirling, in the heart of the country, to be always ready in subsidies for unexpected accidents ; to be a terror to our neutralists, or but masked friends ; to make all without din march forward, lest his uncanny trewesmen (Highlanders) should light on to call them up in their rear ; always to have one eye what either the north, or the ships, or the west, or our stail (numerous) host should mister (need) of help.

“ It was thought the country of England was more afraid for the barbarity of his Highlanders than of any other terror. Those of the English that came to visit our camp, did gaze much with admiration upon these souple (active) fellows, with their plaids, targes (shields) and dorchs (short swords or daggers). There were some companies of them under Captain Buchanan, and others in Erskine’s regiment. Our captains, for the most part, barons or gentlemen of good note ; our lieutenants almost all soldiers, who had served over sea in good charges ; every company had, flying at the captain’s tent door, a brave new colour stamped with the Scottish arms, and this ditton—FOR CHRIST’S CROWN AND COVENANT—in golden letters.

“ Our general had a brave royal tent, but it was not set up ; his constant guard was some hundreds of our lawyers, musqueteers, under Durie and Hope’s command, all the way standing in good arms, with cocked matches, before his gate, well apparelled. He lay at the foot of the hill in the Castle, with Baylie, his Sergeant

Major or Lieutenant General. That place was destined for Almond,\* in whose wisdom and valour we had but too much confidence ; yet in the time of our most need, the grievousness of his gravel, or the pretence of it, made him go to France to be cut. Always (nevertheless) when he came there, it was found he needed not incision, so he past to his charge in Holland, where to us he was as dead in all our dangers.

“ The councils of war were kept daily in the Castle ; the ecclesiastical meetings in Rothes’s large tent. The General, with Baylie, came nightly for the setting of the (watch) on their horses. Our soldiers were all lusty and full of courage ; the most of them stout young ploughmen ; great cheerfulness in the face of all. The only difficulty was to get them dollars or two the man, for their voyage from home, and the time they entered in pay ; for among our yeomen, money at any time, let be then, uses to be very scarce, but once having entered on the common pay, their sixpence a day, they were galliard (brisk, lively). None of our gentlemen were anything worse of lying some weeks together in their cloak and boots on the ground, or standing all night in arms in the greatest storm. Whiles (sometimes) through storm of weather, and neglect of the commissaries, our bread would be too long in coming, which made some of the Eastland soldiers half mutiny ; but at once order being taken for our victuals from Edinburgh, East Lothian, and the country about us, we were answered better than we could have been at home. Our meanest soldiers were always served in wheat bread, and a groat would have gotten them a lamb-leg, which was a

\* Sir James, afterwards Lord Livingstone of Almond.

dainty world to the most of them. There had been one extraordinary crop in that country the former year, beside abundance which still was stolen away to the English camp for great prices. We would have feared no inlake (deficiency) for little money in some months to come. March and Teviotdale are the best mixed and most plentiful shires both for grass and corn, for flesh and bread, in all our land. We were much obliged to the town of Edinburgh for monies. Harry Rollock, by his sermons, moved them to shake out their purses ; the garners of non-covenanters, especially of James Maxwell and my Lord Wintoun, gave us plenty of wheat.

“ One of our ordinances was to seize on the tents of non-covenanters ; for we thought it but reasonable, frae (since) they sided with those who put our lives and our lands for ever, to seile (take) for the defence of our church and country, to employ for that cause (wherein their interest was as great as ours, if they would be Scottish men) a part of their rent for one year ; but for all that, few of them did incur any loss by that our decret (sentence), for the peace prevented the execution.

“ Our soldiers grew in experience of arms, in courage, in favour daily ; every one encouraged another ; the sight of the nobles and their beloved pastors daily raised their hearts : the good sermons and prayers, morning and even, under the roof of heaven, to which their drums did call them for bells ; the remonstrances very frequent of the goodness of their cause ; of their conduct hitherto, by a hand clearly divine ; also Leslie his skill and fortoun (success), made them all so resolute for battle as could be wished. We were feared that emulation among

our nobles might have done harm, when they should be met in the fields ; but such was the wisdom and authority of that old, little, crooked soldier, (Leslie,) that all with one incredible submission, from the beginning to the end, gave over themselves to be guided by him, as if he had been Great Solomon. Certainly the obedience of our nobles to that man's advices was as great as their forbears (predecessors or ancestors) wont to be to their King's commands ; yet that was the man's understanding of our Scots' humours, that gave out not only to the nobles, but to very mean gentlemen, his directions in a very homely and simple form, as if they had been but the advices of their neighbour and companion ; for, as he rightly observed, a difference should be used in commanding soldiers of fortune, and of soldiers volunteers, of which kind the most part of our camp did stand. He kept daily in the Castle of Duncastle an honourable table for the nobles and strangers with himself, for gentlemen waiters thereafter, at a long side-table.

“I had the honour, by accident, one day to be his chaplain at table, on his left hand ; the fare was as became a general in time of war : not so curious by far as Arundel's to our nobles ; but ye know that the English sumptuosity both in war and peace, is despised by all their neighbours. It seems our general's table was on his own charge, for, so far as I yet know, neither he, nor any noble or gentleman of considerable rent, got anything for their charge. Well I know that Eglington, our crowner, entertained all the gentlemen of note that were with him at his own table, all the time of our abode ; and his son, Montgomery, kept with him very often the chief officers of his regiments, for this was a



voyage wherein we were glad to bestow our lives, let be our estates.

“ Had ye lent your ear in the morning, or especially at even, and heard in the tents the sound of some singing psalms, some praying, and some reading Scripture, ye would have been refreshed : true there was swearing and cursing and brawling in some quarters, whereat we were grieved ; but we hoped, if our camp had been a little settled, to have gotten some way for these mis-orders, for all of any fashion did regret, and all did promise to contribute their best endeavours for helping all abuses. For myself, I never found my mind in better temper than it was all that time frae (since) I came from home, till my head was again homeward ; for I was as a man who had taken my leave from the world, and was resolved to die in that service without return. I found the favour of God shining upon me, and a sweet, meek, humble, yet strong and vehement spirit leading me all along ; but I was no sooner in my way westward, after the conclusion of peace, than my old security returned.”

The wary Scots were not unwilling to seek for liberty of conscience by negotiation. They acted from the conviction that treaties are most successfully pursued by those who are prepared to strike ; and the result proved that they were right. Their messenger arrived whilst the royal camp had not yet recovered from the panic, and he demanded a conference for the purpose of arranging that peace which was only fitting to subsist between people whom God had “ joined in one island under one King.” \* The request was granted, and the King

\* The measure of sending a messenger, even when the armies were almost

appointed June the 10th "at eight of the clock in the morning," and the Earl of Arundel's tent as the fitting time and place for opening the negotiation, but it was not entered upon until the day following.\*

Never did the King's mental powers appear more conspicuously pre-eminent than upon that occasion. The Scotch deputies, the Earls of Rothes and Dunfermline, Lord Loudon, Sir William Douglas, Alexander Henderson, and Archibald Johnston, had arrived in the Earl of Arundel's tent, and were in conference with him and the Earls of Essex, Salisbury, Holland, and Berkshire, who, with Sir Henry Vane and Mr. Secretary Cooke, were the representatives of England, when Charles, unannounced and unexpected, entered the tent and took his seat at the table. It was a politic and courteous step, for he assigned this reason to the Scotch deputies for his presence: "You have complained, my lords, that your desires are not heard; therefore I have come myself that you may be certain of an audience." They at once, with firmness but courtesy, asked for the quiet enjoyment of their religion and liberties, and were proceeding to sustain by argument this petition, when his Majesty said there was no need for this, but that it would be better for them "to set

within gun-shot of each other, seems to have been determined upon by the Scotch, after a suggestion sent to them from the royal camp. Baillie records that one of the King's pages, named Robin Leslie, who had been long in his service, was allowed to visit the tents of the Covenanters, on the pretence of visiting some friends, but with instructions to intimate that a proposal for peace, probably, would not be fruitless. The King at first demanded that before the treaty was commenced, "an evil Proclamation" should be read at the head of the Scotch troops, but this being declined, he was content to consider his demand satisfied by its being read, "with much reverence, at the General's table."—*Baillie's Letters*, I. 215.

\* Rushworth, III. 940.

down their desires in writing, and in writing they should receive his answer." The document embracing these desires is brief, and was furnished on the instant, for they asked only for a general amnesty, and "that all matters ecclesiastical might be determined by the Kirk, and matters civil by Parliament." The King asked for the reasons by which they sustained their proposals, but they were not prepared to endanger their cause by such an undigested advocacy as must have been risked by reducing those reasons to paper on the instant, and Charles disclaiming any desire to compromise them, named the day after the morrow as that on which they should furnish "the grounds and reasons of their desires." "Your Majesty," replied Lord Loudon, "our desires are only to enjoy our religion and liberties according to the ecclesiastical and civil laws of the kingdom;" and at the suggestion of Charles this just demand of every freeman was written and subscribed by the sturdy Scottish chancellor.

The King then closed the conference, which was sufficiently brief, considering that the negotiation was so important; for it commenced at ten, and by two dinner had been served, and "those of Scotland departed towards their camp."\*

Other conferences followed, but finally the King assented to nearly all that the Scotch requested, giving his reasons in a declaration set forth fully in Rushworth, and which, be it remembered, was signed by the King

\* Rushworth, III. 941. D'Israeli, in his "Commentaries," gives some extracts of the conversation between Charles and the Scotch Commissioners, but does not state whence he makes the quotation. They are taken from the *Hardwicke State Papers*, II. 130.

in his own pavilion on the 18th of June, and countersigned copies were interchanged by the commissioners.

We thus impress the fact upon our readers because Charles basely dared to deny the authenticity of the terms of pacification, and his apologist, Clarendon, has forborne to state the truth, and would lead his readers to imply a falsehood had been asserted, by saying that at the conference "the most material matters passed in discourse and very little committed to writing."\*

The following letter from Captain Thomas Fairfax, to Lady Vere, his wife's mother, expresses no more satisfaction than was felt by all the right-thinking men of both parties, at this termination of the threatened hostilities.

FROM CAPTAIN THOMAS FAIRFAX TO LADY VERE.

MADAM,

I THINK I need not relate to your ladyship what hath passed in these northern parts lately, for the joy of the happy success of peace which hath already been gladly entertained in the hearts of good subjects; and scarce was there any that had an ear to hear it which had not a heart to praise God for it, and I beseech God he would be pleased to preserve it from a relapse, which, if it were in the power of some, I might fear it would fall into. But, however, we think the King will not return to London till after the Parliament, his presence there will be very necessary to its success. But, Madam, I find myself so impressed to your ladyship by your favours, as I must leave the Scots' affair

\* Clarendon's Rebellion, I. 98.



for other to inform your ladyship in, and acknowledge my particular obligations to your goodness for the care your ladyship was pleased to have of me this journey, which, I thank God, I found no inconvenience by, and for those continual charges your ladyship is at for us and our little one,\* which is more than we can desire. For methinks I am far short of that service to your ladyship as that your ladyship should benefit by it; though I want that to deserve the favours of your ladyship, I will never be wanting to confess I hold more by obligation than merit the honour of being, Madam,

Your ladyship's most obedient son  
and humble servant,  
T. FAIRFAX.

\* This was Mary, afterwards so unhappily married to the Duke of Buckingham. The only other issue of the Parliamentary General was another daughter, Anne, born in 1640, who died and was buried at Denton, in 1642.—*Fairfax MSS.*

## CHAPTER X.

Renewal of hostilities—Charles breaks his promise of attending the Scotch Parliament—Summons the leaders of the Covenanters to Berwick—Strafford's duplicity—Scotch Assembly—King's declaration denied to be genuine—Scotch Commissioners visit London—Articles of Pacification—Mutual mistrust—Scotch apply to France for aid—Letter intercepted—Scotch Commissioners imprisoned—Meeting of "The Short Parliament"—Sir J. Culpepper's satire on monopolies—Strafford arrives in London—Rumours as to the cause of his coming—Character of the Parliament—Lord Keeper's opening address—Grievances examined—Parliament lectured—Subsidies asked for—*Bellum Episcopale*—Hyde's motion for a supply—Sir H. Vane's indiscretion—Dissolution threatened—Hyde's interview with Laud—Strafford advises a dissolution—Parliament dissolved—Charles wishes its recall—Supplies again raised illegally—Dr Juxon's letter—Subsidies levied (?)—Letter of Charles Fairfax—Members of Parliament imprisoned.

THAT "relapse" to war, which Fairfax foresaw it was the inclination of some in authority to effect, unfortunately occurred. It was foreseen also by the leading Covenanters, and one of them thus wrote at the very time of this apparent pacification:—"I perceive that his Majesty heareth reason patiently, and is ready to yield unto it, but that there are some about his chair who continually labour to foment some bad principles of policy and church government which they have planted in his mind. If his Majesty shall honour the approaching assembly with his personal presence all matters may go right."\*

That personal attendance, "God willing," the King

\* Dalrymple's Memorials, II. 69.

had promised, but he listened to other advisers, and withdrew to London.

Laud feared the consequences of Charles observing personally the universal opposition to Episcopacy, and Strafford equally averse from being defeated in any measure of which he had been the partisan, wrote thus to the King:—"It was writ to me from good hands out of England, that it was thought your Majesty intends to go to Edinburgh, and to be present at their Parliament in person. Sir, the reading of it went as cold to my heart as lead; and the consequences of such an assurance fright me to think of them."\*

The excuse offered for this breach of promise was, that the Covenanters did not show confidence in his Majesty; and, if they did not, subsequent events certainly justified their wariness. Previously to the meeting of the Synod promised by the King to be assembled, he commanded fourteen of the leading Peers of the Covenanters to attend him at Berwick. For what purpose could that attendance be required? The true answer must be gathered from the fact, that of the six Scotch noblemen who did attend the summons—noblemen selected for their staunch adherence to the cause of the Covenant—one, Montrose, was seduced to join the royal party.†

The truth seems to be that Charles's most influential advisers opposed his attendance at the Scottish assemblies, and already hinted that the warfare against that people was not to be considered as concluded. Thus

\* Nalson's Collection, I. 209.

† The six peers were the Earls of Dunfermline, Rothes, Lothian, and Montrose, with Lords Lindsay and Loudon.—*Napier's Life of Montrose*, 116.

Strafford writing to him on the 3rd of July, says, that he shall still go on raising troops, and advises that the fortifications of Berwick, Carlisle, and Leith be strengthened, and concludes with warning the King that the Scotch "are not to be trusted with his sacred person over early, if at all." Upon this and other points the Earl wished to urge more than he chose to commit to paper, so he entrusted the letter to Sir Henry Bruce, from whom, he said, his Majesty "might be fully satisfied in all particulars."\*

Duplicity pervaded too many passages of the King's conduct in this contest with his Scottish subjects, and at every turn we see more cause to wonder at Charles's hopes that he should be trusted, than surprise at the want of confidence reposed in his declarations. Thus to the Earl of Traquair, deputed to be the King's commissioner at the Edinburgh Assembly, instructions were given to assent to the abolition of Episcopacy, and even that it might be abjured, "as contrary to the constitution of the Church of Scotland." But let no one be deceived so far as to think that Charles was sincere in this ; for at that time, almost at the very date, he wrote to the Metropolitan of Scotland in these words :—"We may give way for the present to that which will be prejudicial both to the Church and our own government, yet we shall not leave thinking in time how to remedy both."†

It is quite clear from the course pursued by the Royal Commissioner at Edinburgh and the King himself at London, that there was a determination not to carry into effect the declaration and articles he had

\* Rushworth, III. 947.

† Ibid. III. 952.



signed. At Edinburgh the Royal Commissioner gave his assent to the act of the Assembly, declaring, in accordance with the King's instructions, that Episcopacy was unlawful; but this was advancing further than it was his royal master's intention that he should proceed, and of this he was forthwith advised by the Marquis of Hamilton, who told him "the word 'unlawful' has infinitely distressed his Majesty, as you will find by his own letter, and you will do well to think how to relieve it."\* And the only thought possible to the Earl was that which he adopted, namely, repeatedly to prorogue the Parliament, which would undoubtedly confirm the declaration of the Assembly, if allowed to take it into consideration. Tumults and riots were the natural results so soon as the Covenanters perceived the shuffling course adopted by the King's Commissioner, and when a sub-commission was issued to prorogue the Parliament, the latter denied the sub-commissioner's power.

In London the Privy Council pursued a course equally evasive and deceptive. They did not dare to condemn or deny the declaration or articles the King had signed—they dared not even to name them, but they condemned to be burnt by the common hangman "a paper" containing "Some conditions of his Majesty's Treaty with his subjects in Scotland," shrewdly concluding that the uninformed people of England would thence infer that no truer documents existed, and it was this misconception the royalists intended to propagate, or they would have acknowledged and promulgated the true at the same time that they condemned the false to the flames. They knew that the King's sign-manual

\* Aiton's Life of Henderson.

was upon the true articles of pacification; articles which Lord Loudon reminded his Majesty, when pleading before him in council, he had "graciously promised to perform," and beyond which articles the Scotch had no other objects "but such as might serve for establishing the religion and peace of the kingdom agreeably to its fundamental laws."\* Neither at that, nor during any subsequent interview, was the existence of the "Articles of Pacification" denied, and they were frequently appealed to by the Scotch Commissioners.

The mission of these commissioners failed of its object, and they returned to the Parliament from which they were sent, with no more pacificatory answer than that, they "had not power nor commission to give his Majesty satisfaction." Taken in its literal sense, this we may believe was true; for it could be no satisfaction for his Majesty to be reminded of articles of pacification signed by him, from which he was determined to recede.

The continued appeal made by the Scotch commissioners to the articles of pacification at length extorted their recognition from the King in an explicit declaration, made public by him some time in the March of 1640. In this he endeavoured to justify his non-abidance by the articles he had signed, by alleging that the Scotch Assembly asked for more than those articles contained. Why then were not the promised compliances carried out, and the objectionable demands, if any, rejected? But if the acts proposed by the Assembly are examined, it will be found that not one of them was more than carrying into operation the articles which the King had signed. In Scotland, Episcopacy

\* Rushworth, III. 997.

was to be abolished, and, as a consequence, it was asked that bishops should have no seat in its Parliament. This was the most important legislative enactment required, and so far from being unreasonable, was a necessary conclusion of the other. The complaint made by the King, that the Scotch still retained officers in their pay, and had not dismantled certain fortresses as stipulated in the articles of pacification, would have been a good plea for not carrying them into effect, if he had not been guilty himself of a similar infraction. We have seen what Strafford was doing in Ireland; and for a like purpose, (renewal of the war), the military precautions he advised to be taken in the north of England were strictly adopted. There is no necessity for the advocate of either party to conceal the fact, that each was distrustful of the other, and as indubitable is it, that the Scots acted wisely to be prepared against that breach of faith which they were justified in anticipating in their adversary.

When war appeared inevitable, the Scotch had sought aid from the French King; and that sovereign's chief adviser, Cardinal Richelieu, would have had no compunctions to check him from embarrassing those who had been his private rivals as well as those of his country, even if Charles had not aided the Hugonots in their contest with their sovereign. The English King had given that aid, though the contest was against the authority of his father-in-law—he had given that aid to those seeking for liberty of conscience. He had no just ground for complaint, therefore, when Louis the Fourteenth aided those subjects who were struggling for the same liberty against himself. The aid afforded the



Covenanters was chiefly in the form of arms, and was proffered before it was sought for. In November, 1637, Richelieu had sent M. D'Estrades to London to sue for neutrality on the part of England during the threatened contest between France and Flanders. Charles declined to stand pledged to neutrality, and D'Estrades consequently advised Richelieu to encourage the Scotch malcontents, who had a good understanding with those in England, and by thus engaging at home the powers of this country, she would have less ability to interfere with the affairs of her neighbours. "I will profit by your advice," replied the Cardinal; "the Abbé Chambre, my almoner, who is a Scot, shall proceed thither; and the year shall not pass before the King and Queen of England shall regret having refused the offers made to them."\*

That mission was accomplished; and when hostilities were imminent, the Covenanters applied for aid to France, and the letter which their envoy carried with him from them was signed by seven of their leaders, and among those signatures was that of Lord Loudon. It is certain that that letter reached the French King, though a duplicate of it was intercepted by the emissaries of Charles.† Assuming that sending such a letter was treasonable, yet Charles had assented to an act of oblivion, and had treated with the Scotch Commissioners after that letter had come to his knowledge. Notwithstanding these facts, demonstrative that no accusation was intended to be founded upon that letter, in March, just previously to the meeting of Parliament, Lord Loudon was

\* *Lettres d'Estrades*, I. 10.

† *Mazure's Histoire de la Revolution*, III. 402.



committed to the Tower, and his three brother commissioners to other custody. To Secretary Windebanke was confided their examination, but he obtained no inculpatory information, and as the English Parliament did not entertain seriously the charge preferred against them, they were soon after discharged from custody.\*

Having resolved upon a war with Scotland, and conscious of the consequences of the deficiency of money during the former advance towards the northern frontier, every device was now adopted which promised to furnish the sinews of war without the necessity of recourse to a Parliament. "These," said Sir John Culpepper (alluding to the duties upon wines, tavern licenses to dress meat, upon coals, and the monopolies of soap, salt, cards, dice, hats, lace, pins, &c.)—"these, like the frogs of Egypt, have gotten possession of our dwellings, and we have scarcely a room free from them. They sip in our cup; they dip in our dish; they sit by our fire; we find them in the dye-vat, washing-bowl, and powdering-box. They share with the butler in his box. They have marked us and sealed us from head to foot. They will not bate us a pin."† Nor were these the only modes of exaction. We have seen, that all individuals having a certain amount of estate were fined if they refused to be knighted, and if they did submit to the distinction the King's exchequer benefited by the consequent fees; that fines under the obsolete Forest Laws were also levied; and, though less oppressive, yet better known from its consequences, that the now celebrated impost of Ship-money was sought

\* May's History of the Parliament, 56; Rushworth, III. 1120.

† Ibid. III. 917.

to be enforced. All these resources failing, the hope that the dread and the hatred towards foreign invasion felt by Englishmen would sour them towards the Scotch, induced the King to assemble the Parliament on the 13th of April, 1640.

In the November previous to that assembly the Earl of Strafford arrived in London, having been summoned thither from Ireland by a letter from the King, in which were the significant words, "I have too much cause to desire your counsel and attendance for some time, which, more than this, I think not fit to express by letter. The Scots' covenant begins to spread too far."\* The Earl's coming agitated all parties; for friends and enemies alike acknowledged his superior energy and ability. Some ventured to hope, that, having established an influence with the King, he would now direct that influence to the furtherance of "those first right principles" of which, in earlier life, he had been the strenuous advocate. Others, judging from the surer data of facts, mindful of his stern administration in Ireland, and remembering that the proselyte from liberty to despotism is never less rigid than those who win him to his new creed, feared "that he was only sent to complete that bad work, which others, of less brain than he, had begun."†

The foreboders of evil were correct; Strafford was for coercion—"Let the Scots be well whipped into their right senses," was his advice;‡ and this, coinciding with the wish of Laud and the episcopal party, prevailed. War against the Covenanters was resolved to be renewed; but then arose the question whence the supplies

\* Strafford's Letters and Despatches, II. 372.

† May's History of the Parliament, 54.

‡ Strafford's Letters, II. 138.

necessary for its prosecution were to be forthcoming? Strafford hastened back to Ireland, and returned with a grant from its Parliament of subsidies and soldiers, nearly a fortnight before the English Parliament had been opened.\*

The English Parliament was not in such haste to draw the sword in the cause of intolerance, as were its Roman Catholic brethren. A list of its members will be found in Rushworth, and he who scans that list attentively will perceive, even at this distance of time, when history, not party feeling, must guide the judgment, that Lord Clarendon was right in his opinion, that "the House was as well constituted and disposed, as ever House of Commons was, or would be, and that the number of the disaffected was very small."†

The Lord Keeper, Finch, warned the Parliament, in what may be considered the Speech from the Throne, for it was delivered by the command and in the presence of the King, that they were summoned to grant supplies for the effectual prosecution of the Scotch war, and that if they granted these speedily, they should then be permitted abundant time to deliberate upon other measures for the good of the commonwealth. This order of proceeding was not in unison with that dictated by the discretion of the House of Commons, and after the receipt of numerous petitions, complaining of the imposition of Ship-money, the oppression of monopolies, and of the tyranny in the Courts of High Commission and

\* Strafford's Letters, II. 403. His lordship certainly managed to impart extraordinary expedition to what should be the Irish deliberative wisdom ; for he only left London on the 16th of March, and was back on the 4th of April.

† Clarendon's Autobiography, 33.

Star Chamber, it was very clear, even on that first day of its sitting, that the House agreed with Mr. Harbottle Grimston in thinking the dangers and evils within the realm were more imminent than those from without. —“The danger presented to the House standeth at a distance ; but the case which I shall put is of great danger near at home, and the more dangerous because home-bred and running in the veins.”

They acted accordingly, and were proceeding to a statement and petition for the removal of all such grievances as pressed illegally upon the people, when they were summoned within a week after the commencement of their sitting to meet his Majesty in the Banqueting House. The Lord Keeper, Finch, was again his Majesty's mouthpiece,\* and demonstrated the urgent necessity for a speedy supply, at the same time promising in words that no language could strengthen, that after their granting that request, “nothing they should propound for the security of their property and liberties, but that he would be as willing to grant as they to ask.”†

Unmoved by these representations, disregarding the fact that the Scotch had already commenced hostilities by making prisoners of some of our soldiers, and resenting an attempt of the House of Lords to induce them to grant a supply, they pursued without deviation their first course, and persisted in arranging their catalogue of grievances. In vain did the King urge, “that in civility and good manners, as well as necessity, it was fit for him to be trusted first,” and in vain did the Peers,

\* The frequency of the King's employing others to speak for him arose, probably, from the hesitation or stammering to which his voice was liable.

† Rushworth, III. 1139.



with good aristocratic feeling, observe, that "they had the word of not only a King but a gentleman." The King then tried to compromise the difference, by suggesting through Sir Henry Vane, that if they would grant twelve subsidies, payable in three years, he would consent to the abolition of Ship-money, and give them ample time for the consideration of the national grievances.

It is evident that the House could not consent to purchase the redress of oppressions in the mode proposed, for it was wisely observed that "purchasing a release from an illegal imposition would imply an acknowledgment that it was just." The majority of the House thought the amount asked for was much too large; indeed few, says Clarendon, thought otherwise, "except those of the Court, who were ready to give all that the King required, having but little to give of their own." The debate was protracted long beyond the usual hour, yet "not an angry or offensive word spoken," if the taunt of some little-known country gentleman be excepted, that "the supply was for sustaining *Bellum Episcopale*, which it was most fitting for the Bishops to do themselves."

The party most strongly opposed to the Court, headed by Hampden, desired that the question might be put, "Will the House consent to the proposition made by the King, as contained in the message delivered by Sir Henry Vane?" But the moderate party, at the suggestion of Mr. Hyde, member for Wotton Bassett, (afterwards Lord Clarendon), moved as an amendment, that the question be, "Shall a supply be granted to the King?" Upon this every member might frankly give his Aye or No; but upon the other question, many who would vote for

a supply would have to give their vote negatively, because they thought, either that the message asked too much, or that a supply should not be bartered for a suppression of injustice. There was some confusion, but the call for "*Mr. Hyde's question* appeared much the strongest ;" and there is reason to believe that it would have been carried, had it not been opposed by Sir Edward Herbert, the Solicitor General, and Sir Henry Vane, then both Secretary of State and Treasurer. The speech of the latter crushed the exertions of the moderate party, for he declared "the carrying of Mr. Hyde's question could be of no use, for he had authority to say, that if the supply were not voted in the proportion and manner proposed in the King's message it would not be accepted." The wisest course now open to the moderate party was to move an adjournment ; and "it being near five of the clock in the afternoon, and everybody weary, it was willingly consented to."\*

Mr. Hyde heard and saw enough to convince him, that a dissolution was impending over the Parliament, and conscious of the rashness of such a resolve, he hastened to Lambeth Palace and sought an interview with Laud. He found the Archbishop walking in his garden, thoughtful and dispirited, for he had already heard of the proceedings on the opposite shore of the river. Hyde warned him against the error of dissolving the Parliament, because its speed in granting a supply did not keep pace with the impatience of the Court ; gave that high character of the members which has already been mentioned ; and concluded with the assurance, that though there might be delay, yet

\* Clarendon's History of the Rebellion, I. 110.

“their good inclinations and desire to serve the King could not be prevented.” Laud heard him without interruption, but his reply evinced that the cast had been resolved upon. The throw was fatal, but upon whom rested the responsibility of standing this hazard of the die remained yet in uncertainty. Laud said he would not advocate either course ; a neutrality that would have been base even in a less responsible adviser of the Crown, but it is evident he favoured the dissolution. The war was his own ;—he declared his distrust of the Commons’ love for either King or Church ; and added, that until they were dissolved “the King could not enter upon other counsels.”\* Ludlow says, that Strafford was the most strenuous adviser of the dissolution, and it assuredly savours of the proud spirit and hasty hand of that daring statesman.†

Three weeks after its assembly, May 5th, the Parliament was dissolved, and the enemies of the King rejoiced in this still more advanced step in his unconstitutional course, which must hasten its close, and which was calculated still more to steel the resolves of those who in the day of reckoning prevailed. Within an hour after the dissolution, the usually gloomy and taciturn Mr. St. John was met, all smiles and communicative, by Hyde. The latter expressed his deep regret, “that in such a time of confusion so wise a Parliament was so unseasonably dismissed ;” but St. John emphatically replied, that “all was well, for things must be worse before they could be better ; and this Parliament could never have done what was necessary.”

The King repented, as was characteristic of him, when it was too late, and sought in vain to retrace his steps.

\* Clarendon’s Autobiography, 38.

† Ludlow’s Memoirs, I. 9.

Anger had dictated the extremest mark of displeasure, and the Parliament, which might have been prorogued, was dissolved. Within eight-and-forty hours, he wished, by a proclamation, to reassemble the dismissed members, but learned, with useless regret, that there was no resuscitation for a Parliament defunct.\*

To summon a new Parliament was too tardy a measure to be suggested or tolerated by his own or his advisers' ardent impulses, but the resolve was easier to return with more vigour to former courses for raising supplies. That return had even preceded the dissolution, for the Lord Treasurer, Bishop Juxon, pursuing the illegal modes of raising money even while the Parliament was sitting, ventured to write as follows, on the 18th of April, to Sir R. Wynn.

SIR,—I am commanded by his Majesty to let you know that he hath given me a peremptory direction to call upon certain persons that are to lend him money, to the end they may bring in the same for supply of his great occasions, within these ten days at furthest, amongst which number you are one. I thought fit, therefore, to acquaint you with his Majesty's pleasure, and the furthest limit of time he hath given for performance thereof, desiring you not to fail in the payment of the sum of 3000*l.* expected from you, within that time, otherwise I shall discharge myself to his Majesty upon this advertisement, and the blame will fall where it is not wished by

Your very loving friend,

GUL. LONDON.

*London House, the 18th of April, 1640.*

\* Clarendon's History of the Rebellion, I. 111.



Nor was this all ; for at the same time the King proceeded to levy subsidies, and his commissioners for that purpose were active at the very time the above letter was written, at least in one county which he always regarded as favourable to his interests. This appears by the following letter from Mr. Charles Fairfax to his brother, then in London, as a representative of Boroughbridge.

TO THE RIGHT HONOURABLE HIS VERY GOOD BROTHER,  
FERDINAND, LORD FAIRFAX,

AT THE SARACEN'S HEAD, IN KING STREET, WESTMINSTER, PRESENT.

RIGHT HONOURABLE,

I WAS now, in respect of a present answer of this affixed letter to my sister, necessitated to the post, and having an earnest desire to salute your lordship with the least trouble, and to give you an account of some hard measures from my cousin Ingram Hopton, must present you this scribbling. Yesterday, the Commissioners for subsidies met for Claro. There, my mother and I, having a joint estate both in Claro and Skirack, tendered our monies (rated to four pounds in lands, a high proportion) and according to custom desired certificate. Sir Henry Goodrick, Mr. Ingleby, Mr. Marwood, and Mr. Stockdale assented without the least contradiction. Mr. Hopton opposed, in respect of residence, &c., and a long time refused to subscribe it, and did what he could to hinder the rest, but at last he did it. This day he sits for Skirack, whither I am now sending it, where, perhaps, he will get it disallowed : so may we be enforced to pay after eight

pounds in land, where four is too much. It is not safe for me to divide it ; nor indeed have I reason ; she and I being jointly interested in the lands in both wapentakes, though by permission of either we enjoy it in severalty : and for the objection of residence, we are much together, and this cavil of his will make us the more. I hope my nephew, Arthington, and the rest of those commissioners, will do me right, whatever he intends to the contrary ; indeed I cannot guess at the reason of this carriage, but, however it prove, payment is the worst, and it will be heavy enough. My mother-in-law never before now admitted me an estate at Scough, yet had I the favour from commissioners, upon payment there, only certified in her name, and I living in another wapentake, upon show thereof, to be there excused ; and now she has yielded that, it were my great loss to come to be severally assessed, namely, either of us, forty shillings. Excuse, I beseech you, this preposterous and confused scribbling, in haste, from

Your lordship's brother to serve you,

CHARLES FAIRFAX.

*22nd of April.\**

The ill-advised contempt for the privileges of Parliament did not stop here ; but with an apparent resolution to sweep on, regardless of all dictates but those of his own high will, the King seized the persons of several of the members. The house and person of Lord Brook

\* The editor doubts whether this letter may not have been written in the year 1641, and consequently after the Long Parliament had met, which certainly granted subsidies ; but the original was chronologically arranged in the Fairfax MSS. according to the date under which it is now inserted.

were searched for papers ; whilst Henry Bellasis, Sir John Hotham, and John Crew, representatives respectively of Yorkshire, Beverley, and Northamptonshire, after examination before the Privy Council, were committed to prison for refusing to answer concerning their conduct in Parliament. Hotham and Bellasis were soon after discharged ; but Mr. Crew was detained in the Tower until the assembling of the Long Parliament approached. His firmness should be recorded to his especial honour ; for he was offered his liberty, if he would give up the names of those deprived clergy who had petitioned for relief, and whose only offence had been to decline reading the “ Book of Sports ” on the Sabbath.\*

\* Rushworth, III. 1196.

LONDON:  
BRADBURY AND EVANS, PRINTERS, WHITEFRIARS.



THE  
FAIRFAX CORRESPONDENCE.







*J. M. 1666. 2.*



# THE FAIRFAX CORRESPONDENCE.

MEMOIRS OF THE REIGN

OF

# CHARLES THE FIRST.

EDITED BY

GEORGE W. JOHNSON, ESQ.,

Barrister-at-Law.

TWO VOLUMES.

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# THE REIGN OF CHARLES THE FIRST.

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PARLIAMENT being removed, the preparations for war now went on boldly and actively ; the Trained Bands of the various counties, amounting in the aggregate to 29,000, were ordered to concentrate at Newcastle on the 1st of June ; and every conceivable means were resorted to in order to obtain the necessary supplies. This was no easy task ; for the King admitted that the army alone cost 100,000*l.* per month ;\* and no one class of society,

\* Rushworth, III. 1137.

except the clergy and Roman Catholics, contributed cheerfully to the expenses. The King demanded a loan from each ward of the City ; but many of the aldermen refused to give the names of those who were capable of contributing, and consequently fell under the censure of the inquisitorial Star Chamber. Ship-money to a greater amount than formerly was levied ; but in every county the levy was resisted, and the sheriffs of several were proceeded against for being dilatory in its collection. A similar resistance was made in several counties to the extortion of Coat and Conduct money,—money required for the equipment and transport of their militia. The Convocation illegally continued its sittings after the Parliament had been dissolved, and voted a per-centage out of the revenues of every benefice.

These ways and means were sufficiently illegal and oppressive, but they were not sufficiently fruitful ; therefore the King did not hesitate to adopt others which were dishonest as well as oppressive. It is true that he abstained from debasing the coin, on the representations made to him of the ruinous consequences which would result from such a national fraud ; but he seized the bullion deposited by private individuals in the Tower ; and Lord Cottington, one of the Secretaries of State, bought for the King's use, upon long credit, large consignments of pepper, to sell immediately at a lower price for ready money.\*

The resistance to the levy of the various imposts was not based solely upon their illegality, but also upon a repugnance to the war itself. All felt that it was a civil war,—a letting loose of the worst evils that could afflict a country,—for no other purpose than to advance

\* May's History of the Parliament, 63.



the interests of Episcopacy. The repugnance pervaded all classes and all counties ; nor were the advisers of the Crown ignorant of this national dissatisfaction. They have not the excuse either that they were uninformed upon the subject, or that the dissatisfaction was confined to any particular place. We have seen that Charles, without venturing into details upon paper, had stated his opinion to Strafford that "the Covenant (the bond against Episcopacy) was spreading too far." His Council felt this also, and, to be prepared for extremities, ordered all Deputy Lieutenants and Justices of the Peace to return to their respective counties. In Westminster, the vicinity of Laud's palace, its twelve burgesses were ordered to reside, and not to leave without leave from the Council. The apprentices of London, a turbulent and formidable body even in the seventeenth century, were so much feared, that every master was now made responsible for those bound to him as craftsmen. Even this was not thought sufficient ; but the approaching May-games were suppressed by proclamation, "for the preventing of any riots or tumults which by the number of apprentices might otherwise happen." Boats were forbidden to be upon the Thames after nine o'clock ; the Tower and Newgate were garri-soned ; and so nervously alive were the Council to the utterance of dissatisfaction, that they summoned before them sundry convivial Lincoln's Inn students, charged with animadverting upon the Archbishop. To that prelate the best informed attributed the dissolution of the late Parliament, and other arbitrary measures. This opinion was also entertained by the students in question, and at a tavern in Chancery Lane they drank "Confusion to Laud." The waiter informed the Archbishop,

who not having either magnanimity or prudence sufficient to pass it by as a drunken effervescence, cited them before the Council Board. The Earl of Dorset had more discretion, suggesting, when he found that the waiter was retiring from the room at the moment the toast was given, that "The waiter was mistaken : you drank 'Confusion to the Archbishop's foes ;' but he was gone without hearing the concluding word." This explanation was allowed to prevail, and the students were dismissed with an admonition.\*

Notwithstanding every precaution, however, the apprentices gathered together, and in no measured strain gave vent to the popular feeling and opinion. On the 9th of May, a placard was stuck up at the Old 'Change, calling upon the apprentices to sack the Archbishop's residence ; and within eight-and-forty hours they would have obeyed the invitation, had not Laud fortified his palace.—"Monday, May 11th," that obnoxious prelate says in his Diary, "my house at Lambeth was beset by 500 of the rascal riotous multitude. I had notice, and strengthened the house as well as I could, and, God be blessed, I had no harm. Since, I have got cannon, and fortified my house as well as I can, and I hope all may be safe ; yet libels are continually set up in all places of note in the City." The rage of the multitude was not confined to the individual, but extended to the class of which he was the chief, for the cry of the mob was, "No Bishops ! No High Commission !" The indignation was not confined to "the rascal riotous multitude," for the educated class designated the war, *Bellum Episcopale*, the Bishops' War, and well did it merit that title. Laud was the parent of Episcopacy in

\* Rushworth, III. 1170—1180.

Scotland ; he urged on the war there to establish its unstable mitres, and every possible office both there and in England was conferred, through his influence, upon some one of the Episcopal Bench. In Scotland, eleven of its fourteen bishops were privy councillors, the Archbishop of St. Andrew's was Lord Chancellor, and the Bishop of Ross Lord High Treasurer.\* In England, Laud was Prime Minister, and Bishop Juxon, Lord Treasurer. "No churchman," says Laud, in his Diary,—“no churchman had it since Henry the Seventh's time. I pray God bless him to carry it so, that the Church may have honour, and the King and the State service and contentment by it ; and, now, if the Church will not hold themselves up under God, I can do no more.”

It was against this “holding themselves up,” this ambition of civil power, this treading in the footsteps of the Roman Pontiff, that Scotch and Englishmen alike revolted. Charles was sufficiently yielding and infatuated to throw himself into the ranks of the supporters of Church power ; it was the beginning of his fall, and it is not too much, perhaps, to say that as his son lost a crown to retain a mass, so Charles lost his head to retain a mitre. It will be seen that from the dissolution of that Parliament, which contemporary historians name *The Short Parliament*, in contrast to that which immediately followed, the ruin of the King proceeded with uninterrupted descent. On his part it was an unbroken series of fresh acts of despotism, of resistance on the part of his people, of disingenuousness when he was obliged to yield, and of mutual distrust when each felt that the other had so much to forgive.

It must not be supposed that amidst the general

\* May's History of Parliament, 29.



repugnance to the war against Scotland, the Trained Bands, or Militia, of which the King's forces were constituted, had a contrary inclination. This was so far from being the case, that it was found necessary to impress men into the service, and mutiny paralysed the strength of the army, long before it approached that of Scotland. Nor was mutiny confined to one regiment on account of some peculiar oppression, but it was general, and against the expedition altogether. This is told by the proclamations against the mutinous conduct of soldiers in Berkshire, Warwickshire, Hereford, Dorset, Essex, and elsewhere ; mutiny which involved the murder of one officer, upon no other ground than the belief that he was a Papist.\*

Even the general appointed to the chief command, the Earl of Northumberland, is not without suspicion of having been restrained from the expedition by disinclination, rather than the sickness he pleaded. He was well enough on the 4th of June to write, that "so general a defection in this kingdom hath not been known in the memory of any."†

Charles, Strafford, and Laud, were not the characters, however, to yield easily or gracefully ; so the assembling of the troops proceeded, though unpaid, unaccounted, and mutinous, up to the very hour they were required to march against the advancing clans. Sir Jacob Astley, one of the stoutest of the royalist commanders, wrote thus from Selby on the 10th of July :—"I have orders from my Lord General to send four or five thousand men to Newcastle ; but, considering there is not such a number yet come, and those which are come have neither colours, halberts, nor drums, I forbear. I am to receive

\* Rushworth, III. 1193, &c.

† Sidney Papers, II. 654.



all the arch-knaves in this kingdom, and to arm them at Selby ; and before I came hither, some five hundred of them were brought by Lieutenant Colonel Ballard, and these beat up the officers and boors, and break open the prisons, &c. Two days since, Colonel Lawford's regiment came hither, who had, by the way, fought with all their officers, and, as they passed, abused all the country." In other letters, dated on the 13th and 18th of the same month, this officer again thus writes :—"It would be impossible to keep the men together, if they should miss their seven days' pay ; they would disband, rise against their officers, and spoil the country. Part of my regiment raised in Daintree is there totally disbanded, and Lieutenant Colonel Culpepper beastly slain by the Devonshire men ; and three hundred of the Marquis's (Hamilton) regiment refused absolutely to go to Hull for fear of being shipped."\*

The mutinous conduct of the King's troops was generally known, and so well-advised of it was Charles, that the Secretary of State, Sir H. Vane, wrote, on the 13th of August, to Lord Conway, then commanding at Newcastle, urging him to do his utmost "to keep the soldiers from mutiny, until monies came down, which his Majesty and the Council were hastening to him with all possible diligence ; for," adds Sir Henry, "it will be worse than ever to have disorders, either of horse or foot, fall out."†

General Leslie, the commander of the Scotch forces, was intimately informed of the ill-provided and disorganised state of the King's troops. This would have

\* Dalrymple's Memorials, II. 84.

† Hardwicke State Papers, II. 151, &c., contain much information respecting this period.

been sufficient, in a military point of view, to justify his advance against them, even if he had not thereby saved his own country from the desolation incident to its becoming the seat of war. But he had still other inducements ; for Lord Savile, the traitor and betrayer of all who trusted him, had forged the signatures of several English noblemen to an engagement that they would join the Covenanters if they invaded England, and refused consent to any pacification unconfirmed by the Parliament of England.\* This document Savile showed to Lords Loudon and Dunfermline, whilst they were in London upon the former articles of pacification ; and on their requesting that it might be transmitted to Scotland, Savile, with reluctance, consented, and it was forwarded thither in a hollow cane, borne by Frost, afterwards Secretary to both kingdoms, who journeyed in the disguise of a poor wayfaring traveller. It arrived without interruption, and was made known, Burnet says, only to three other parties, the chief confidants of the Covenanters, the Earls of Rothes and Argyle, and Archibald Johnston, afterwards Lord Waristoun, who, although they did not divulge the secret thus committed to them, took care that a rumour should be circulated through their camp, that upon their invading England, they would in due time receive great and unexpected support. This support was not afforded to them, and at one time, after they had crossed the border, they were so straitened for supplies, no aid being afforded to them by our countrymen, that it was seriously debated by the Scotch commanders whether they should not

\* Burnet's Own Times, Book I. ; Clarendon's History of the Rebellion, I. ; Oldmixon gives a copy of the document and the signatures, but he cannot be trusted.

retrace their steps and inform the King of the invitation to invade England which they had received.\*

The army of the Covenanters had set out from Edinburgh on the 20th of July, and the public enthusiasm and deep anxiety for its success form an ominous contrast to the feelings entertained by Englishmen for those who were destined to be its opponents. Even Sir Thomas Hope, the King's Advocate, has recorded his belief that God watched over that army as His chosen instrument for converting both kingdoms from Satan. In that army were two of his own sons and his son-in-law, though another son was in constant attendance upon the King, as his carver-extraordinary. Three times a-day, at morning, noon, and rest-time, did the advocate vow to prostrate himself in prayer for the success of the Covenanters' arms.†

At the close of July, and until the 20th of the month following, the army continued encamped near Dunse, the place of its former successful rendezvous, but on that day, having preceded their advance with proclamations indicative that they warred not against England, but only to defend their religion and liberty, they crossed the Tweed.

There was either some contest for the post of honour and of danger, or else in their religious enthusiasm professing to following the Apostolic example, lots were cast by the Scotch commanders to decide who first should cross the boundary stream. The lot fell to the Earl of Montrose, who, alighting from his horse, passed at once through the river, and then returned to encourage his men, for which indeed there was abundant occasion, for the cavalry had to form a line across to break

\* Nalson's Collections, II. 427

† Napier's Life of Montrose, 129.



the force of the stream from the foot soldiers whilst they waded mid-deep through its waters, and even with this precaution one was swept away and drowned.\*

On the 27th of August the Scotch army had advanced to within four miles of Newcastle without any interruption, except from an unsuccessful sortie made by the garrison of Berwick ; and on the evening of that day, after sending a summons to surrender the town, they encamped on the heights of Heddon Law, looking down upon Newbourn. Rushworth, who saw their watch-fires that night, says the camp was of large extent :—it contained 20,000 foot and 2500 cavalry, and Lord Conway, who had long been in command at Newcastle, well knew their strength.† That officer was not equal to the difficulties by which he was surrounded, being one of those who seek aid from others when safety should depend upon their own self-reliance and exertions. Newcastle required additional fortifications ; but instead of addressing himself to that work with the troopers and townspeople, he contented himself with writing to the Deputy Lieutenants of the county. Abundance of lead was in the town, but being without bullet-moulds, he contented himself with complaining of the deficiency. Sir Jacob Astley was a soldier far more capable in such an emergency, and having arrived with 4000 men, forthwith proceeded to reconnoitre the country, examine the fords, and to throw up entrenchments where the Scotch army was likely to cross.

Notwithstanding these preparations, however, and

\* Baillie's Letters and Journals. The place where they crossed was Coldstream ; and the horse employed to stem the stream was "The College of Justice Troop," commanded by Sir T. Hope.—*Rushworth*, III. 1222.

† The Scotch army comprised 22,000 foot and 3000 horse.—*Baillie's Letters*, I. 256.



though eight pieces of cannon were mounted on the breastworks, and he had behind them 3000 or 4000 foot and 1500 horse ; the first in a good position on a hill, and an open plain below admirable for the operations of cavalry, yet Lord Conway confesses he would not have hazarded an engagement, but had resolved to retreat to Newcastle, if a letter had not reached him at the moment from the Earl of Strafford, commanding him to hold his ground.

The following observations and advice, in Strafford's letter, were not to be mistaken :—" Your lordship will permit me to deal plainly with you. I find all men in this place (York) extremely ill-satisfied with the guiding of the horse, and publish it infinitely to your disadvantage, that having with you 2000 horse and 10,000 foot, you should suffer an enemy to march so long a way without any skirmish ; nay, without once looking at them. It imports you most extremely, by some noble action, to put yourself from under the weight of ill tongues. I advise that you, with all the horse, and at least 8000 foot, and all the cannon you have, do march opposite to them on this side the river, and be sure, whatever follows, to fight with them upon their passage."

We have seen that Lord Conway only in part obeyed this advice, and the result is thus related by an eye-witness :—" The Scots all the forenoon of the 28th watered their horses at one side of the river and the English on the other side without offering any interruption, until a Scotch officer, well mounted, and having a black feather in his cap came out of one of the thatched houses in Newbourn, and coming to water his horse, was shot by an English sentinel, who had

observed him with his eye upon our entrenchment. The fire was returned by some Scotch musqueteers, and immediately afterwards their cannon, planted in the church steeple, opened upon our breast-works from whence the fire was returned. This fusillade continued until the time of low water, when a breach having been made in our larger sconce, or breast-work, and Colonel Lunsford's men, who were in it, beginning to give way, complaining that no relief or support was sent to them from Newcastle, the Scotch pushed a party of twenty-six horse, being gentlemen of the College of Justice troop, rapidly across the river. This they did under cover of a heavy fire from their artillery, and, finding that the reconnoitering party was unattacked, and that our troops were withdrawing, more horse under Sir Thomas Hope, and two regiments of foot commanded by Lords Crawford, Lindsay, and Loudon, also passed across the river. The Scotch artillery was now turned upon the English horse, and some of these being soon put into confusion a general retreat was too readily sounded and obeyed. The rear-guard, under the command of Commissary Wilmot, Sir John Digby, and Captain O'Neal alone did their duty, for seeing the confusion of our troops, and that it was needful to keep the enemy in check, they charged upon their advancing ranks, and drove them back into the river, but unsupported and few in numbers, they were eventually surrounded and taken prisoners.

“Although the Scotch did not pursue, and although our loss in killed barely exceeded sixty, yet the retreat speedily became a rout, and the troops so disorganised, that Sir Thomas Fairfax, who commanded a troop of

horse, declared 'his legs trembled under him' until he had got across the Tees."\*

The day following, General Leslie took possession of Newcastle, no one being more astonished than himself at such undisputed success. "We did not well know," says Baillie, who accompanied their army, "we did not well know what to do next; yet this is no new thing to us, for many a time, from the beginning, we have been at a *nonplus*, but God helped us ever."

General Leslie soon ascertained that his success had been secured really by the hearty reluctance of our countrymen to fight in what they considered an unholy cause, and he wisely resolved that no act of his or of his army, should weaken that feeling. He entertained his prisoners liberally, and then permitted them to return to the King's head-quarters; he allowed the country people to visit his camp unmolested; gave strict orders that no one should be inconvenienced more than was unavoidable; and paid for everything that was required for the supply of his men. There was somewhat of fear mixed with this policy, for their commissariat was wretchedly deficient, and as they consequently derived subsistence from our peasantry, Baillie might well observe, "if we trouble in the least sort the country of England, we are feared for their rising against us."

\* Rushworth, III. 1237; Dalrymple's Memorials, II. 102; Burnet's Own Times, I.; Hardwicke State Papers, II. 162, &c. Only three officers were killed of the English army, one of whom was a son of Endymion Porter; and two Scotch officers, one being the only son of Sir Patrick Macgee, and the other Mr. Dacolmy, one of General Leslie's Life-guards. Young Macgee had taken one of our flags from young Porter, when he fell, and was shot himself whilst waving it triumphantly. Baillie says they lost less than twelve men.

At the same time it is certain that the Scotch leaders were very anxious to avoid injuring the districts through which they passed, and especially to protect the English plantations. "I found at Edinburgh," says Baillie, "Roths, Loudon, and Mr. Archibald Johnston, sent by the army to intreat that the town would be pleased, on all security they could invent, to lend what ready money they could spare for the supply of our soldiers, who were in strait for want of money ; also, because it would be troublesome to those of England, who were much delighted with planting, if our army should cut down timber for building of our huts, they prayed that the honest women might be tried what webs of hardin or sheets they might spare, that every four soldiers might have a tent of eight ells."\*

But careful as the generals were to prevent any rapine upon the country people, yet some of the officers managed to effect a little pillage on their own account, either in return for protection promised, or other favour. The following very curious letter, written during the investment of Newcastle, affords an example of this.†

TO SIR THOMAS RIDDELL, OF GATESHEAD.

SIR THAMAS,

BETWEEN me and Gad, it maks my heart bleed bleud to see sic wark gae thro sae trim a gairden as yours. I ha been twa times wi my cusin the general and sae sall I sax times mare afore the wark gae the gate. But gin (before) awe this be dune, Sir Thamas,

\* Baillie's Letters, I. 255.

† Preserved among the MSS. of the Riddell family.



ye maun mak the twinty punds thretty, and I maun hae the tagg'd tail trooper that stans in the staw (stable), and the wee trim trim gaeing thing (a chime clock) that stans in the newk (corner) of the hawe (hall) chirping and chirming at the newn-tide o' the day, and 40 bows of bier (bolls of barley), to saw the mons (strike the bargain) withawe. And as I am a chevalier of fortin and a lim of the house of Rothés, as the muckle main kist (great record chest) in Edinburgh Auld Kirk can weel witness for these aught hundred years and mair bygainge, nought shall skaith (hurt) your house within or without, to the validome of a twapenny cheekin.

I am, your humble servant,

JOHN LESSLY,

Major General and Captain over sax-score and two men and some mare; Crowner (Colonel) of Cumberland, Northumberland, Marryland, and Niddisdale, the Merce, Tiviotdale, and Fife; Bailie of Kirkaldie; Governor of Brunt Eland and the Bass; Laird of Libberton, Tilly, and Whoolley; Siller-tacker of Stirling; Constable of Leith; and Sir John Lessly, Knight, to the bute (besides) of awe that.

The same good policy (and there is no reason to doubt that it had for its sole object the preservation of their national church and liberties) made the Scotch still pursue the path they had formerly trod, and petition for their establishment, though in arms for the destruction of any one advancing to assail them. Victory was theirs on the 28th of August, yet within a week they petitioned the King for redress, adding to their

former petitions, no more than the request that peace might be settled, with the advice of the English Parliament.\* The King's forces had in the meantime rallied, and concentrated at Northallerton, but Strafford and all his other advisers now saw that the struggle must be concluded. Strafford indeed had written to Lord Conway "to put as much life into his men as he could," and Lords Warton and Howard of Esrick had been imprisoned for presenting some petitions for peace to the King. But the time was come when even the spirit of Strafford was compelled to bow to the force of circumstances, and when he threatened to shoot those noblemen at the head of the army, as movers of sedition, the Marquis Hamilton made him shrink from his purpose, by the home question "My lord, are you sure of that army?" Had execution been attempted upon those peers, says Burnet, very probably a total revolt would have followed. The threat, however, could only have been the hasty ebullition of a temper which Clarendon admits had become so "marvellously provoked and inflamed," that he treated both officers and soldiers so harshly as to render them "more enraged against himself than against the enemy." All came in for a share of his impotent abuse. He told the gentry of Yorkshire they were "no better than beasts," if they refused to support the King; yet, contrary to the Earl's command, they persisted in petitioning for a Parliament and peace.† The city of London addressed the King in a similar manner, though the whole Council asked the Lord Mayor "to stop the intended petition;" and a similar petition,

\* Rushworth, III. 1255.

† Ibid. III. 1235—1265 ; Clarendon's History of the Rebellion, I. Book 2.

signed by twelve of the chief peers of England, was delivered at the same time (Sept. 12) into the King's hands.

No extraordinary ingenuity is required to discern the cause of the repugnance of Laud and Strafford to summon a Parliament; the voice of all England was against their measures, and they have left on record their inward misgivings that their safety would be jeopardised by the success of the popular outcry. Their last hope of escape from the dreaded Parliament now rested upon summoning a Council of Peers—a course determined upon before the public voice had been raised for a Parliament, for the Secretary of State of Scotland stated that:—"For the more mature deliberation of the weighty affairs, his Majesty hath already (Sept. 5) given out summons for the meeting of the Peers of this kingdom in the city of York, the 24th day of this month."\* If that Council would have granted subsidies, as was suggested, no Parliament would have been summoned, though we believe Charles expressed no more nor less than truth when he wrote, "I have always thought the right way of Parliaments most safe for my Crown, as best pleasing to my people,"† but in this, as in most other determinations of vital importance, he yielded to the worse natures and suggestions of others.

The writs summoning the Peers to this great Council

\* Rushworth, III. 1256. This was not strictly correct. The determination to summon the Council might have been passed, but the writs were dated September 7. It had been recommended by the Privy Council at a meeting in London, September 2, being advocated by Laud and others.—*Hardwicke State Papers*, II. 168.

† Eikon Basilike, I.

were couched in terms the most urgent, forbidding all excuse, and setting forth that the subjects for discussion involved the honour and privileges of the sovereign as well as the tranquillity of the realm. Such a summons to a distant county where the facilities for travelling were but few, was a hardship which might have justified many excuses ; but to the honour of our nobility but few of such excuses were preferred.

The Earl of Clare, one of the Peers whose name Lord Savile forged to the Scots' invitation, wrote thus upon the receipt of his summons.

TO THE RIGHT HONOURABLE THE LORD FAIRFAX, AT HIS  
HOUSE IN YORK, OR (IN HIS ABSENCE) TO MRS. FAIRFAX,  
HIS DAUGHTER-IN-LAW.

MY LORD,

I AM but new come to town this day to see my poor wife, and comfort her in her affliction for the loss of one of our children, and yet I must hurry back as fast as I can, being summoned by writ to attend his Majesty at York on the 24th of this present, when all the lords are enjoined to be there. And thereby doubting lodging may be scant, I must be an earnest suitor unto you to help to furnish me with one, and with a stable, and (if it may be with your lordship's conveniency, that you will) please to help my Lord North with one in the same house, or near, we desiring to quarter together for those few days of our stay there ; who required me to use my credit with your lordship



herein. For the stable, if your lordship will do me the favour to speak to my cousin Wroughton, the Knight Harbinger, in my name, I am confident he will give me a cast of his office ; so with my service to my sister and brother, I rest in haste

Your lordship's very affectionate kinsman  
and servant,

CLARE.\*

*London, the 15th of September, 1640.*

Lord Clare was not detained long from his family, for, being deputed with five other Peers to negotiate a loan to meet the immediate necessities of the King, he proceeded to London on the 26th of the same month. This legal and business-like mode of proceeding differed widely from that which had hitherto been pursued by the royal advisers, and which it was hoped might be continued ; for the Peers agreed "to join with his Majesty in any security," the citizens advancing the money which might be required.† There was no difficulty in thus raising the 200,000*l.* so pressingly needed.

It is quite certain that the summoning a great Council of the Peers was an unusual exercise of the prerogative of the Crown, but it is equally certain that Clarendon is wrong in considering it "a new invention," though he is correct when, (contradicting himself,) he adds, that some centuries had elapsed since such a Council had been assembled. Every member of the Peerage is an

\* This is the Lord Houghton mentioned in a former note. He had succeeded to the Earldom of Clare in 1637, on the death of his father.

† Rushworth, III. 1302.

hereditary councillor of the King, and may be summoned by him to give advice at any time of need. No greater need of assistance and advice had ever occurred to Charles than at that time ; not a fortnight's amount of pay for his troops remained in the Exchequer ; forced loans, and illegal imposts had been tried and had failed ; the merchants would not aid him or his unpopular " Cabinet Ministers ;" and there was no time for summoning a new Parliament.\* Added to this the Scotch army was before him, whilst his own was ill-paid, ill-armed, and mutinous. It may be that his advisers hoped, and Clarendon says it was proposed by one of them, that this Council would grant subsidies, and that the necessity for a Parliament might thus be avoided ; but this hope must have been abandoned before the great Council had assembled, otherwise most ill-advisedly in the first sentences of his opening address the King told them—"I have of myself resolved to call a Parliament, and already given order for issuing the writs instantly."

There was no need, therefore, for the Peers to provide for more than immediate necessities, leaving the rest for Parliament to arrange, and the loan they resolved to raise has been already noticed. Indeed he asked for no more, if there were any honesty in these words—"How shall my army be kept on foot

\* The term " Cabinet Council " was first employed at this period, and as a term of reproach by the Courtiers who were dissatisfied and envious of the six Peers who were exclusively summoned into the King's private room or " Cabinet " to advise upon affairs of importance. These six were the Archbishop of Canterbury, Strafford, Cottington, Northumberland, Hamilton, and the Bishop of London. The two secretaries were Sir Henry Vane and Sir Francis Windebanke.—*Clarendon's History*, I. 117.

and maintained until the supplies of a Parliament may be had ? ”

The only other point on which Charles said he required advice, was with respect to the “answer to be given to the petition of the rebels, and in what manner to treat with them ? ” \* And to this the Peers at once replied, “That certain of themselves should be sent as commissioners to treat with commissioners on the part of the Scotch.” But so determined was the resolution to conclude peace with them, that an order for the disbanding of at least one regiment was issued that day. It is true that it was a Yorkshire regiment, and might most easily of any be reassembled, still it was an indication that could not be without its effect upon the Scotch negotiators. †

Sixteen peers were named as Commissioners, and

\* Rushworth, III. 1275.

† The regiment which was directed to be disbanded was that of Lord Fairfax, and the following was the order for it :—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, THESE  
BE DELIVERED.

AFTER my hearty commendations unto your lordship : forasmuch as His Majesty hath been graciously pleased upon the treaty, which is now begun for the accommodation of the war, to signify unto you that his pleasure is that most of the armed Trained Bands of this county shall be disbanded ; these are therefore to require you forthwith upon sight hereof, to march with your regiment to some convenient place within the limit where your soldiers inhabit, and there to draw your regiment together, and to let them understand that His Majesty's pleasure is, that they shall disband and return to their houses, but withall, that for the common safety of themselves and the country, they are upon an hour's warning to be ready and in arms to attend such service as upon occasion shall be requisite ; and for such money as you have received wherewith to pay the officers and soldiers further than the time of their disbanding, you are to presently repay the same. Not doubting, I rest,

Your very loving friend,

STRAFFORD.

*York, this 25th September, 1640.*

how much even the great Council were in favour of peace, and opposed to the despotic measures of the Court, is evident when we observe, that of those sixteen, nine had signed the petition for calling a Parliament, and the other seven, Lords Salisbury, Holland, Berkshire, Wharton, Paulet, Savile, and Dunsmore, were known enemies of Strafford, and friendly to the Scottish claims.\*

York and Northallerton were both suggested as the place of meeting, but it was finally fixed to be at Ripon, and the negotiations commenced there on the 1st of October, the Scotch Commissioners being the Earl of Dunfermline, Lord Loudon, Sir Patrick Hepburn, Sir William Douglas, Mr. John Smith, Mr. Alexander Wedderburn, Mr. Alexander Henderson, and Mr. Archibald Johnston.†

The uncompromising tone adopted by the Scotch in their demands, and the manner in which the English Commissioners yielded to everything required of them, would point out, in the absence of all other evidence,

\* The Commissioners besides those above-named, were the Earls of Bedford, Hertford, Essex, Warwick, Bristol, Viscount Mandeville, and Lords Paget, Brook, and Howard. Associated with them, as acquainted with Scotch affairs, were the Earls of Traquair, Morton, and Lanerick ; with Sirs H. Vane, Lewis Steward, and John Burrough.

† We have noticed that the Scotch had been encouraged to invade England by a letter, purporting to be signed by several English peers. Some of these, and among them Lord Mandeville, were now Commissioners, and were treated with much coldness by the representatives of Scotland at this meeting. Lord Mandeville required from the Earl of Rothes an explanation of this demeanour. The latter at once charged him and the other noblemen with breach of faith, in not affording the co-operation they had promised. The forgeries and imposture were then detected ; but it appears that the signatures were so admirably imitated that the lords acknowledged they could not have denied them if appended to a paper they had before attested.—*Burnet's Memoirs of the Dukes of Hamilton*, 165.



that the one were conscious of weakness and the other of power. Before they would enter upon any terms of treaty, the Scotch demanded subsistence for their army. This was no petition, but the demand was sustained by arguments such as these :—"Our army was stayed in its march by his Majesty's special command, or before this time it would have been either better provided or further advanced in its petition and intention. In hope of provision being made by treaty, it has been kept from taking such ways and using such means as might serve for its necessary maintenance. And now, necessary allowance being denied to our army, we take ourselves to the papists and prelates with their adherents, our professed enemies."

Threats like these, accompanied also by a denunciation of Strafford, as "a chief incendiary," were sufficient to justify a stern retort, and even a conclusion of the negociation ; but the English Commissioners felt themselves to be powerless and bowed before the contumely. Two proud spirits alone resented such pretensions and reproach—Strafford, and Edward, usually known as "the black Lord Herbert." The latter indignantly spurned the Scotch proposals, declared that "never Prince bought a treaty of his subjects at so dear a rate ;" and advised an appeal to arms and the fortification of York, rather than submit to a payment, which was only, after all, to induce the Scotch to enter on a treaty which "might quickly dissolve and come to nothing."\*

\* Rushworth, III. 1294. It appears that the Duke of Albemarle, then only Colonel Monk, was also in favour of fighting the Scotch. He had been very instrumental in saving the cannon and covering the retreat at Newbourn.—*Skinner's Life of General Monk*, 18.

Strafford even went further, and assured Laud in these words, that "if the King would but speak the word, I will make the Scots go hence faster than they came. I would answer for it on my life ; but the instructions must come from another than me." Clarendon was misinformed when he stated that Strafford actually ordered an attack upon one of the enemy's outposts, which was so successful that all the Scotch officers were taken prisoners, and that General Leslie complained of this as an outrage, as the Commissioners were negotiating. Though no assent had been given to a cessation of hostilities, the King strictly commanded that no such expeditions should be repeated.\*

The blame of this ill-timed skirmish rested entirely on the Scotch detachment which was captured. Sir William Douglas left Durham contrary to orders, took with him a troop of horse, and crossing the river Tees, made a recognisance of the adjoining part of the county of York. Taking up his quarters in a village, "and swaggering without a sentinel," he was surprised by a troop of our horse under a Major Smith, as related by Clarendon. This is Baillie's, the Scotch advocate's, own account of the incident ; and we are assured that it is true, because the Scotch Commissioners amidst all their direct charges against the Earl merely venture to say, "his under-officers can tell who it was that gave them commission to draw near in arms beyond the Tees, in the time of the treaty of Ripon."

\* Clarendon's History, I. 125 ; Baillie's Letters, &c. by Laing, I. 261 ; Speeches, &c., at this Great Parliament, 524. The fullest account of this skirmish is in the Hardwicke State Papers, II. 183. The Scotch were plundering the house of a Mr. Pudsey when they were surprised.

All this, however, was in strong contrast to Stafford's statement to the Council of Peers, for he told them, "That it was not possible to keep the counties of Cumberland and Westmoreland out of the Scottish power, whenever they pleased to invade them ; and Newcastle, he said, could not be recaptured that winter, even if the King had an army of 100,000 men. If the winter did not present difficulties, nothing else could hinder the Scotch army pressing forward into England, and they must have York yielded to them, for there was no intervening position suitable for giving them battle." But this was not all, "for," added the Earl, "although his Majesty's army consists of very good bodies of men, yet for want of use of their arms, it is not fit to rely upon them, especially where so much would be hazarded, and so little to be gained." \*

This opinion was conclusive, and certainly justifies the adoption of the treaty of Ripon, which stands upon our records as the most humiliating to which the sovereign power of England has ever been compelled to submit. The war was undertaken by the King, in defiance of the wishes of England, to subjugate the consciences of the people of Scotland, but the army with which they repelled the oppression was now to be supported by the oppressor. The counties of Northumberland,

\* Rushworth, III. 1309. They were to be distrusted for other reasons than their want of discipline : "The hearts of all might be seen averse from this unjust war. The very pages of the Court could not be made to hold their daily gibing of our (the Scotch) fugitives in their faces, as traitors to their country. The Trained Bands gave it out peremptorily that they were not obliged to follow the King beyond the county, and that they were resolved not to pass beyond their obligation." These are the words of Baillie, who was then with the Scotch army, and well informed of the doings in the English camp.

Durham, Cumberland, and Westmoreland, were ceded to them as securities for the payment of 850*l.* daily, until peace was concluded ; and after all, only a cessation of hostilities, signed on the 26th of October, was the result, the further consideration of the treaty being adjourned to London.

Sir James Turner, a mercenary soldier, who joined the Scotch forces at this juncture, says,—“ I found this success had elevated the minds of my countrymen to such a height of vanity, that most of them thought, and many said, ‘they should quickly make a full conquest of England ;’ ” and honest Baillie, who had not been much conversant with this world’s riches, giving vent to a mingled feeling of astonishment and pleasure, exclaims, “ The sum of 300,000*l.*,—5,408,000 marks, Scots ! is a pretty sum in our land, beside the 1,800,000 marks for our army these last four months, and 25,000*l.* sterling for the fifth month coming ! Yet the hearty giving of it to us, as to their brethren, refreshed us as much as the money itself ! ” \*

It had been proposed, during the negotiation, that it should be adjourned to York ; but the wary Scots knew that they should gain nothing by that adjournment, for the English Commissioners were sufficiently friendly, and their own Commissioners might be softened by a more intimate communion with the Court ; they, therefore, declined placing themselves within such influences, but readily acquiesced in the adjournment of the negotiation to London, where they knew they should have a friendly majority in the Parliament ; and it is not improbable that the delay that would be thus occasioned

\* Baillie’s Letters and Journals.



was not so much objected to, now that 25,000*l.* per month was agreed to be paid to their troops. Nothing can be more confirmatory of the truth, intimated by other circumstances, that the English Commissioners were friendly to the success of the Scotch claims, than that they were unanimous in advising this transfer of the negociation to London. Clarendon, the King's Advocate, styles it, "the most confounding error," and so indeed it was, to those who thought Episcopacy should be established by the matchlock and pike. It strengthened the hands of the Scotch advocates, because they were thus enabled to plead their cause with those who had power, and to disabuse the minds of the public from prejudices by their sermons, for "the people resorted thither in incredible numbers,"\* and their cause was simple, clear, and unrefutable. The King had signed articles of pacification, refused to ratify them, and then, a second time, despite the opposition of the Parliaments of both kingdoms, and even although the Parliament of England withheld supplies, had raised an army for no other purpose than to force Episcopacy upon Scotland. That country, be it remembered, was then an independent kingdom, having its own Assembly of Divines, and its own Parliament, and the King's proceedings were in direct opposition to the votes of those deliberate bodies. It so happened that the crowns of England and of Scotland had descended upon the same head; but this was no justification for his arming the subjects of one nation to coerce the consciences of the other; and though the Scotch sought and obtained aid from France and other European governments, to resist the injustice,

\* Clarendon's History, I. 129.

yet Charles had no right to complain, for he had similarly aided the French Protestants in their struggle against their sovereign.\* The Scotch, moreover, sought nothing but security for the quiet enjoyment of their religion and liberties, confirmed and secured by the sanction of Parliament, and when this was obtained, according to the very words of their proclamation on entering England, their return was "with expedition, peaceably and orderly."†

\* Holland, irritated at Charles's aiding the Spaniards, Denmark similarly dissatisfied as to his conduct during the war with the Emperor, and Sweden for a like reason,—all were willing to aid the Covenanters.—*Baillie's Letters, by Laing*, I. 191—2.

† Rushworth, III. 291, Appendix.

## CHAPTER II.

Parliamentary Elections—Ferdinando Fairfax, Member for Yorkshire—Court interest unavailing—Lenthall chosen Speaker—Clarendon's opinion of him—Opening of "The Long Parliament"—King's Speech—Lord Keeper's Address—Committees appointed—Hyde then a Reformer—Cromwell's second appearance in Parliament—Quarrels with Hyde—Star Chamber and Commission Court tyranny exposed—Reforms effected—Letter of Ferdinando Fairfax—Death of Lord Fairfax—His family—Dispute as to his property—Dr. Wren drives weavers out of Norfolk—Censure passed on him and other dignitaries—Bill for Triennial Parliaments passed—Proceedings against Strafford—Desired to be absent from Parliament—Resolves to impeach some of the Commons—Arrives in London—Impeached immediately—Pym's speech to the Peers—Arrest of Strafford—Committed to the Tower—Injustice of the Commons—Strafford's high spirit—Letter to his wife.

DURING the negotiations at Ripon the elections for members to serve in the Parliament, summoned to meet on November the 3rd, were progressing. Laud was warned to appoint some other day for its assembly, because the Parliament which met for the first time on that day in Henry the Eighth's reign ruined Cardinal Wolsey, and suppressed the monasteries.\* But, for once, the Archbishop was regardless of an omen: he foresaw that the storm must burst upon him, the Parliament must meet, and he cared not to postpone it for a few hours. The elections were fiercely contested throughout England; but the spirit of reform was roused, and the returns gave a majority fatal to the despotic government of Charles.

\* Whitelocke's Memorials, 37.

Ferdinando Lord Fairfax was returned as a representative of Yorkshire, in defiance of the presence of the King and all the Strafford interest ; and the fact being made known that the royalists wished the Recorder of London, Sir Thomas Gardiner, to be Speaker, was quite sufficient to exclude him from the representation of that City. He was in every respect suited to preside over the House of Commons, being a sound lawyer, firm of purpose, and "with somewhat of authority and gracefulness in his person and presence ;" but he was an uncompromising royalist, and that alone was sufficient to exclude him from the Parliament altogether. He was rejected not only by the citizens of London, but by the burgesses of one or two other places, where he came forward with the Court interest.\*

When the 3rd of November arrived, the King received intelligence that Sir T. Gardiner was not returned a member of the Parliament, "so his Majesty deferred going to the House till the afternoon, by which time he was to think of another Speaker." This royal selection of a President for the House of Commons seems strange, as contrasted with the modern freedom of its proceedings, but was then submitted to apparently as a time-honoured practice. Charles himself selected William Lenthall for the Speakership, a bencher of Lincoln's Inn, but who had no parliamentary experience beyond that of the "Short Parliament" of the same year, in which he sat, as now, a representative of Woodstock. "With very great difficulty he was prevailed with, rather than

\* Clarendon's History, I. 135. Three years subsequently the King made him Solicitor General, in the room of Mr. St. John, and subsequently his Attorney General.



persuaded," to accept this office, though his adversaries say he "hungered after riches," and the salary attached to the Speakership was then 2000*l.* a-year.\*

Clarendon records as his opinion, that a worse selection could not have been made, for that he was without courage or dignity of nature ; but the acts of his public life refute this condemnation. Whether it was in opposing the erratic efforts of the King, the army, or the branch of the legislature over which he presided, he usually acted with firmness and consistency ; and when he diverged from that line, (which we, sitting beyond the verge of those times of difficulty, may clearly see he might have trod more beneficially,) let us remember that greater men than he of all parties failed in a similar manner. He was always in favour of moderate measures, and such was his acknowledged integrity that all parties protected and promoted him.

Having decided upon selecting him for the Speakership, the King proceeded to open the Parliament, and even in this initiatory step it was apparent that the lofty spirit of the royalists was broken. At the opening of former Parliaments, Charles had traversed the intervening street and park on horseback, amid the acclamations of thousands, and attended by all the panoply of a Court. But it was not so now ; for he went in an unadorned boat from Whitehall to Westminster, accompanied only by a few state officers, including his infamous Lord Keeper, Finch ; thus shunning the multitude, for their

\* Wood's *Athenæ Oxon.*, II. 307 ; Clarendon's *History*, I. 136. It must have been known that he was opposed to the Court measures ; for he had been Chairman of the whole House, and had refused to contribute anything to the expedition against the Scots.—*Nulson's Collections*, I. 203, 341.

murmurs began to rise against "the delinquents." The members of the House of Commons, too, were known to be nerved to sterner resolves than when they last met. Oliver St. John's prophecy had been accomplished; worse had been done, more arbitrary measures had been adopted, and now all were immoveably determined not only to shake off the oppression, but to provide against its recurrence: "men who, six months before, were observed to be of very moderate tempers, and to wish that gentle remedies might be applied, talked now in another dialect both of things and persons." \*

The King's opening address was too conciliatory to please Clarendon, who thought there was "too little majesty" in it; but it was far more to the purpose than that which followed from the Lord Keeper, and would have been politic in every particular, if he had not persisted in designating the Scotch as "rebels," and in asking for aid to "chase them out," when their Commissioners were actually on their route to London, and we have seen that he was treating with them for peace.† The removal of the Scotch army, and the consequent relief of our northern counties, he pointed out as of pre-eminent importance, and then the removal of grievances; but, concluded his Majesty, "I freely and willingly leave it to you where to begin. Only one thing more I desire of you, as one of the greatest means to make this a happy Parliament,—that you on your parts,

\* Clarendon's History, I. 136.

† As in most other cases, Charles saw his error when too late, and made this half apology two days after—"I told you the Rebels must be put out of this kingdom, and must needs call them so as long as they invade us, though I am under treaty with them, and under my Great Seal do call them my subjects; for so they are too."—*Parl. Hist.* IX. 72.

as I on mine, lay aside all suspicion one of another.”\* And it would have been a happy contingency for his Majesty could this have been effected ; but it is hard for the oppressed to know how far to trust their oppressor when rescuing their liberties, and still harder for the wielders of despotic power to forgive those who have circumscribed its exercise. John abjured Magna Charta, and Charles had denied his assent to the Petition of Right.

The Lord Keeper was particularly unfortunate in his topics. He praised the King’s “moderation in great affairs ;” recommended the Queen’s favour to be cultivated, because none other could “co-operate more to the happy success of Parliament ;” and then commended the nobility for not “overtopping the people ;” and all this was addressed to men enraged at the King’s oppressive and illegal imposts, at the Queen for her support of the papal religion, and at Laud, Strafford, and the Lord Keeper himself, for their domineering courses and contempt for the liberties of the people.

So great was the dread of papal power, and so intense was the desire of opposition to its further advance in England, that one of the first measures of the House of Commons, after appointing committees to examine into matters of religion, grievances, courts of justice, trade, and Irish affairs, was to appoint another to see that every member received the sacrament “on the next Lord’s day, and to take care that no Papist sat in the House,” to ascertain their numbers near London, and how they were armed. This appears to have been no needless inquiry, for on the same day the King issued

\* Parl. Hist. IX. 58.



a proclamation, commanding them to depart and to be disarmed ; and there is some evidence of a plot then in agitation, probably connected with that frightful massacre of Protestants which so soon after took place in Ireland, and glimpses of which are to be found in Rushworth and other contemporary authorities.\*

Foremost in the rank of reformers was Mr. Edward Hyde, afterwards Earl of Clarendon, and, to use his own phrase, he was "the greatest (most frequent) chairman in the committees of the greatest moment." He presided over the committees to inquire into the oppressions of the Earl Marshal's court, the courts of the Lord President of the North, and the Welch Marches ; the committees for examining into "the miscarriages of the judges in the case of Ship-money ;" that of the whole House "for the extirpation of Episcopacy," besides many others to examine into private complaints. In one of these last, the future Protector appeared for the second time as a member of our senate. He had been returned as one of the representatives of Cambridge, and was nominated as member of a committee of which Mr. Hyde was chairman. This committee was directed to examine whether the copyholders within one of the Queen's manors had any cause for complaining of the inclosure of part of the waste without their consent. The lands inclosed had passed by purchase to the Earl of Manchester, then Keeper of the Privy Seal, and his son, Lord Mandeville, attended before the committee as a party interested. Cromwell "appeared much concerned to countenance the petitioners and their witnesses," and directed their course of proceeding, which

\* Rushworth, III. 1310 ; Nalson, I. 467, &c.



does not quite accord with our notions of the line of propriety to be observed by one presiding as a judge. "He had never before been heard to speak in the House of Commons, but he now enlarged upon and supported what the witnesses said with great passion." These, as well as the petitioners, being rude and illiterate, clamorously interrupted the proceedings in support of the Earl's title to the inclosure, and so unruly did they become, that Mr. Hyde, as chairman, had to use some sternness and threats of committal before they could be reduced to order. This excited Cromwell's wrath, and he was more exasperated when other members of the committee acquitted Mr. Hyde of any unnecessary or partial interference. "In the end," says Mr. Hyde, who, we must remember, is the relater of his own case, "his whole carriage was so tempestuous, and his behaviour so insolent, that the chairman found himself obliged to reprehend him, and to tell him that if he proceeded thus, he would presently adjourn the committee, and the next morning complain to the House of him ; which he never forgave." \*

When the oppressions which had been brought upon the people during the few years of the Stuart dynasty were gathered together by the various committees, they formed a mass of varied suffering to be paralleled in no other period of English history.

The ruin, together with the cruelty, inflicted by the Star Chamber and other illegal courts, by branding and mutilating in order to frighten into silence the expression of public opinion, upon subjects dearest to

\* Clarendon's Autobiography, 40. Cromwell had spoken in the House before. See I. p. 180.

Englishmen, were not confined to the notorious instances of Prynne, Bastwick, and Burton. These three, in particular, it is true, made men start and gaze upon each other to think that such things were inflicted and endured, but the feelings chronicled by a contemporary, in the following passage, were not limited to those sufferers :—

“It seemed to many gentlemen, I remember, and was accordingly discoursed of, a spectacle no less strange than sad, to see three of several professions, the noblest in the kingdom, divinity, law, and physic, exposed at one time to such an ignominious punishment, decreed by Protestant magistrates, for such tenets in religion as the greatest part of Protestants in England held, and all the Reformed Churches in Europe maintained.”\* In our days no condemnation of the Ecclesiastical Courts would be considered too strong, but then a gentleman was fined 300*l.* for saying that knaves practised in them, and “the law thereof was cruel law;” another party was fined 3000*l.* for advising his friends not to advance money to the Crown, unless sanctioned by Parliament; a third was fined 5000*l.* for saying “the King went to mass with the Queen.” Sir Walter Long, an opponent of the Court, High Sheriff of Wiltshire, being elected a representative of Bath, was committed to the Tower during his Majesty’s pleasure, and fined 2000 marks for attending to his Parliamentary duties; Dr. Leighton for writing against Episcopacy was degraded, branded in the face, fined 10,000*l.*, pilloried, whipped, and had his nose and ears mutilated; Mr. Ewer for saying that the Earl of Danby was a base lord, was mulcted 2000*l.*, and another opponent of the Court for expressing

\* May’s Long Parliament, 79.

himself in a similar manner of the Earl of Suffolk, was fined 8000*l.* ; Mr. Palmer for not residing in his country-house, but remaining in London, was committed to the Fleet, and was compelled to pay 1000*l.* as a fine ;\* Mr. Bowyer for charging Laud with popish tendencies was fined 3000*l.*, branded on the forehead, and had his ears nailed to the pillory ; Sir David Fowles for speaking disrespectfully of the Earl of Strafford was fined 5000*l.* and committed to prison during the King's pleasure ; Mr. Apsley for abuse of the King's general, the Earl of Northumberland, was similarly persecuted ; for opposing an enlargement of the Duchy Wood of Braydon, other gentlemen were mulcted to the amount of more than 3000*l.* ; and for selling saltpetre contrary to a proclamation, one Hillyard was fined 5000*l.* These are only some examples of the varied forms in which tyranny and extortion were visited upon the people. But the passive despotism was as intolerable ; for men displeasing to the royalists were summoned upon frivolous charges to appear in some one of the courts, and there kept from year to year without their case being brought to a hearing. Numerous letters are to be found among the Fairfax MSS. showing that that family was thus annoyed, and even Mr. Bagshaw, a supporter of Charles said " My soul has bled for the wrong pressures I have observed done by the High Commission and other Ecclesiastical Courts, against the King's good people. I have some reason to know this, who have been an attendant on the court these five years for myself and a dear friend of mine, formerly knight of our shire

\* He was only one of 167 similarly proceeded against.—*Rushworth*, III. 144.

(Surrey), for a mere trivial business, that of putting on his hat during a sermon.”\*

No less than forty committees were appointed to inquire into the validity of the complaints which flowed in, and to suggest reparation and remedies for them. Prynne, Bastwick, Burton, Lilburne, and Leighton, were released, and recompensed so far as money could recompense them for their sufferings ;† the judgment against Hampden was reversed, and Ship-money voted to be illegal ; the proceedings in Ireland against Lords Dillon, Ely, Kildare, and Mountnorris, were reversed ; the clergy in convocation were declared to possess no power unless by consent of Parliament ; the Courts of High Commission, Star Chamber, of the North, of Wales, and of the Counties Palatine were abolished ; all arbitrary levies on merchandise were repealed ; compulsory knight-hood was forbidden ; monopolies were recalled, and the power of the Crown to grant them taken away, and then the House of Commons directed its stern regard towards those who had induced so much evil, and rendered these remedial measures necessary. Some of the authors of the evil selected for punishment are mentioned in the following letter from Ferdinando, Lord Fairfax, to his brother Henry.

\* Nalson's Collections, I. 498.

† Writing on December 2, 1640, Baillie says, “ On Saturday Burton and Prynne came through most of the city triumphantly ; never here such a show ; about 1000 horses, above 100 coaches, with a world of foot, every one with a rosemary branch. Bastwick is not come yet from Scilly (where he was confined). This galled the bishops exceedingly.”—*Letters, &c.* I. 277.



TO MY VERY LOVING BROTHER, MR. HENRY FAIRFAX, AT  
ASHTON-UNDER-LINE, THESE.

GOOD BROTHER,

I RECEIVED your letter, dated the 10th of this instant, and am sorry to find in it the continuance of your former complaint. As I am grieved to be thought the occasion among some friends you write of, so should I be glad to satisfy my own conscience and yourself of doing what is fit, leaving them to their own ways whom I hold myself no ways bound to please, how inquisitive soever they be. Your last demands and my sister's, at Popleton, were of that extent, claiming a third part of my father's personal estate, as I must entreat your excuse that I yield not unto. His will, his speeches, and his servants about him can witness his full intention. I need not now write them unto you. Sir Hugh Cholmeley was with me, who requires the same, and told me that Serjeant Glanvill's opinion, upon perusal of the will, was that a third part was due. I told him the opinion of Sir John Bankes upon the like, stating the case was contrary, because I had neither the copy of the will, nor that resolution here. I writ to Mr. Clapham for them, who returned answer, he had them not. Then I perceived they were in such a place as I could not employ any to seek for them, but must rest till my coming home. If the way of suit must be pursued as the means to satisfy your friends, I shall neither make it by my own delays tedious, nor lessen my affections to you, in so seeking what is conceived your right; if otherwise, I shall desire to know what your demands are, and I shall then signify what I will grant, which shall

as freely come to you and yours as the mediation of any friends can work me unto.\*

\* The following notice of Lord Fairfax, whose will was thus in dispute, is from a MS. by his nephew, Brian Fairfax :—\*

Thomas Lord Fairfax, of Denton, Baron of Cameron, married Ellen, daughter of Robert Ask, Esq., by Elizabeth, daughter of Sir John Dawney, Knight, whose mother was daughter of the Lord Latimer ; and her great grandfather Ask was son of Sir Robert, by Elizabeth, the daughter of John Lord Clifford. Their children were—first, Ferdinando Lord Fairfax ; second, Henry ; the third that had issue was Charles of Menston. Those which died were Henry and Charles, twins, and Mary, all infants. All the rest lived to be men, viz.

William Fairfax, a captain in the Palatinate, where he was slain in the defence of the city of Frankendale, with his brother John. His picture is at Denton, with one eye.†

John Fairfax, slain at Frankendale.

Peregrine, slain in France, in defence of Rochelle.

Dorethy, married to Sir William Constable, Bart., sans issue.

Anne, to Sir George Wentworth, of Woolley, Knight, by whom he had issue, Michael, who died sans issue.

All the said younger sons, except Henry and Charles, died without issue.

This Thomas, first Lord Fairfax, of Denton, was knighted before Roan, in Normandy, by the Earl of Essex, the Queen's (Elizabeth) General of the English. Created Baron of Cameron,‡ in Scotland, 3 Car. I. ; married 25 Eliz. Sent by Queen Elizabeth to King James into Scotland ; wrote several books, viz.

1. A Discourse, containing about 150 pages, in a large 4to, which he intituled "Dangers Detected, or the Highway to Heidelbergh ;" the argument being the present state of Christendom ; the generally received opinion (that our differences in religion is the cause of these intestine wars) is erroneous ; the ambition of Spain, her aiming at a fifth monarchy is the occasion and ground ; how the estate of Spain has grown in few years from a mole-hill to a mountain, and by what means ; how it enlargeth itself daily, and what we do or may suffer in the same ; how we may exchange our passive part to their active ; and lastly, how an equality may bring a concord, which is never permanent in disproportions.

2. Conjectures about Horsemanship ; What Lessons the Breed of each kingdom or country is fittest for ; Helps and Corrections ; Pillars of each Sort ; The Art of Riding ; The Groom's Office ; How to back the Colt first in the Field ; What shall be done when the Colt will be led with a Man upon him ; What to be done when he can (with the helps there directed) go forward, stop, and turn ; Of

\* The will is printed in the Appendix to this volume.

† For this picture's sake Prince Rupert forbade the plundering and demolishing of Denton Hall in 1644.

‡ Cameron is a village in Fife.

This bearer's haste will not suffer me to write anything of Parliament business. The Earl of Strafford has not yet answered his charge ; my Lord of Canterbury where he was, and his charge not ready ; nor the other bishops, Wren and Piers. Judge Berkley was arrested on Friday last, of treason, for perverting the laws, and in the Sheriff of London's custody. The Bill of Subsidies, and the Trienian Parliaments, we hope will this day pass : our business great and many, which make our pace through them very slow. I pray you remember my best affections to my sister, resting

Your very loving brother,

FER. FAIRFAX.

*Westminster, 16th of Feb. 1640 (N.S. 1641).*

Dr. Wren was Bishop of Norwich, and having in his diocese many weavers, Puritans, who had sought refuge there from papal persecution in Flanders, he so enforced

Several Rings in the Field ; Of the Carriers ; Lesson Serpentine ; Fittest Grounds for Exercise ; How to be Taught at Single Pillar ; And the Manage in encounters, &c.

3. A small piece of " Militia for Yorkshire."

4. A Larger Tract of the Yorkshire Cavalry ; And against Horse Races.

5. Of the Militia of Durham, (writ at the then Bishop Neal's request).

6. Orders for the House ; And Remembrances for Servants in Great Entertainments.

7. Prayers composed by him, writ with his own hand, and many excellent Verses upon several subjects, in loose papers : In nomen Desideratissimi Præcharissimiq. Fratris mei, Ferdinandi Domini Fairfax, nuper in Partibus Borealibus Polemarchi Ducisq. Generalissimi, which prove him both a soldier and a scholar.

He built Denton, and died there, May 1, anno 1640, aged 80, and was buried at Otley. His Lady, Ellen, died 1620. They were both buried together.

Il n'avoit laissé passer aucune occasion de servir son patrie en les guerres ; et durant la paix, sans ambition, et sans avarice, mesprisant les vanités de la Cour, se retiroit chez-soi, (à Denton), fort visité de ses amis, et prenant grand plaisir à nourrir et dresser des chevaux.—*La vie de Mons. de Plessis.*



upon them religious ceremonies and observances, that they once more emigrated, to the great injury of our clothiery trade and commerce. This "showing himself forward in formalities and outward ceremonies" was quite sufficient to bring down upon him the wrath of the prevailing popular power, and he was consequently subjected to the enormous bail of three sureties of 10,000*l.* each, and his own recognisance of 30,000*l.*\* Dr. Piers, Bishop of Bath and Wells, had similarly inclined to the Puseyism of his day, and was similarly censured for his "great pride and insolence." That he could not have expected to escape from the resentment of those now in power, we may be assured, from the fact that he had forbidden one of his clergy even to be a visitor in the house of Mr. Pym, because the latter was "a Parliamenteer" and "a Puritan."†

Mr. Justice Berkley was not the only judge upon whom the wrath of the Parliament was visited, for their unworthy conduct in the case of Ship-money; for Lord Chief Justice Bramston, Chief Baron Davenport, Barons Trevor and Weston, and Mr. Justice Crawley, were all compelled to enter into recognisances of 10,000*l.* each, "to abide the judgment of Parliament."‡

\* May's Long Parliament, 82; Clarendon, II. 74. The latter says that Dr. Wren was learned, severe, and sour, I. 83.

† Speeches, &c. of this Great Parliament, 320; Clarendon, I. 162. For their votes in Convocation, after the last Parliament was dissolved, Dr. Wren was fined 5000*l.*, and Dr. Piers and others somewhat less. Laud had to pay 20,000*l.*, and Dr. Neile, Archbishop of York, 10,000*l.*

‡ Parl. Hist. IX. 89. Sir Robert Berkley was removed from being a Judge of the King's Bench a few weeks after.—*Whitelocke's Memorials*, 39. He appears to have been especially selected by the House of Commons for punishment. They impeached him of High Treason; and, by command of the House of Lords, he was arrested, whilst on the Bench, by the Usher of the Black Rod, "which struck a great terror into the rest of his brethren, then sitting in Westminster Hall, and in all his profession."—*Ibid.* 40.



The bill to secure the summoning a Parliament once in three years, though its preamble declares it "ought to be holden at least once every year," received the royal assent on the day anticipated by Lord Fairfax, as well as the grant of four subsidies to the King. Charles personally attended to give his assent, truly observing of the Triennial Act, "that never bill passed in that House of more favour to his subjects;" and, with a proper sense of its importance, it was received; for not only did both Houses address to him their special thanks, but, as Baillie records, "it did fill the city with such joy, that they required permission, and obtained it, to express their sense of it by ringing of all their bells, above 1000, and setting out their great bonfires."\*

The great event of the period, however, was the trial of Strafford, for that of Laud was of secondary importance. This was not simply an arraignment under the Statute of Treasons; but the attendance of the House of Commons, together with commissioners from Scotland and from Ireland, at the trial, rendered it a momentous struggle between the people of three kingdoms and the representative of despotic government. It was a trial without parallel, observed an eye-witness, whether we consider the high nature of the charge, the pompous circumstances of the proceedings, its long duration, or the consequences inevitably attendant upon the condemnation of the Earl; indeed, "we can hardly call it the trial of the Earl of Strafford only; the King's affections towards his people and Parliament, the future success of this Parliament, and the hopes of three kingdoms depending upon it, were all tried, when Strafford was arraigned."†

\* Letters and Journal, I. 301.

† May's Long Parliament, 87.

Strafford wisely would have shunned the fearfully unequal contest, but Charles wished for and commanded his attendance, which rendered still more unpardonable the ultimate abandonment of his servant in the hour of his extremest confidence and greatest need. But so it was ; and the unembellished facts present us with a record of weakness and faithlessness, happily without parallel in English history.

Strafford foresaw the impending storm and wished to allow its violence to spend itself and pass over whilst he was distant. He pointed out that he should not be able to serve the King as a member of the Parliament, but that his presence would rather hinder the progress of the Session. By appearing in his place in the House he would only attract more attention, whilst by being at a distance he could better retire from danger, and in Ireland, or elsewhere, more effectually serve his master. The King was peremptory for his coming to London, telling him that his advice "on weighty matters" was indispensable, and "that as he was King of England, he was able to secure him from danger, and that Parliament should not touch one hair of his head." \* Still the Earl hesitated ; and it was not until a second urgent appeal from the King, that he departed from the dictate of his own judgment, and set forth to confront his enemies.

One rash resolve led to another still worse advised,

\* Whitelocke's Memorials, 36. Rushworth and Nalson agree in stating that Strafford's friends urged him not to come to Parliament ; but they are silent as to the King's contrary command ; and Nalson says he came because "he had more of the oak than the willow in his heart." Strafford's friends anticipated, and forwarned him of the result when the House resolved itself into a committee on Irish affairs, November 6.—*Rushworth, Trial of Strafford*, 1.

and, like one who not contented with entering the lion's den must needs pluck him by the beard, he determined, on proofs recently obtained, to impeach the popular leaders of the Commons for holding intercourse with the Scots and exciting them to invasion. But his foes were wakeful and watchful, and the instant they saw him within the toils, they lost not an hour in making the casting throw.

Wearied, and broken down by disease, the Earl reached London on the 9th of November. Fever confined him to his couch throughout the following day, but on the 11th, with a cleared lobby and closed doors, and at the suggestion of Pym, the House of Commons resolved to impeach him of High Treason. In vain did messengers from the Peers seek for a conference on affairs of importance, for it was suggested they merely wished "to get intelligence of what was in hand;" in vain did members wish to retire; and in vain did Lord Faulkland, though no friend of Strafford, urge that such precipitancy ill became the justice and dignity of the House. He stood alone in pleading for procrastination. "The least delay," exclaimed Pym, "may blast everything. If the Earl talk but once with the King, we shall be dissolved: besides, this House only impeaches; it is not the judge; and, moreover, once committed to custody, he will no longer have access to the King."\*

The wisdom of this promptitude soon became apparent; the message to the House of Lords had been prearranged, and though submitted to a committee of seven, "they presently returned," and the House

\* Clarendon, I. 139.



directed Pym to carry up the impeachment to the Lords. Not a minute was lost, and "that ancient gentleman of great experience in Parliamentary affairs, and no less known fidelity to his country,"\* thus announced to the Lords the startling message of which he was the bearer: "My lords—The knights, citizens, and burgesses, now assembled for the Commons in Parliament, have received information of divers traitorous designs and practices of a great Peer of this House, and by virtue of a command from them, I do here, in the name of the Commons now assembled in Parliament, and in the name of all the Commons of England, accuse Thomas, Earl of Strafford, Lord Lieutenant of Ireland, of High Treason: and they have commanded me further, to desire your lordships that he may be sequestered from Parliament, and forthwith committed to prison. They have further commanded me, to let you know that they will within a very few days resort to your lordships, with the particular articles and grounds of this accusation. And they do further desire, that your lordships will think upon some convenient and fit way, that the passage betwixt England and Ireland, for his Majesty's subjects of both kingdoms, may be free, notwithstanding any restraint to the contrary."

At the door of the House of Commons, which opened for the passage of Pym, the friends of Strafford also made their exit, and the intelligence soon reaching him,

\* May's Long Parliament, 88. The members of the committee were Pym, Strode, St. John, Lord Digby, Sir John Clotworthy, Sir Walter Earle, and Hampden.



though at the time closeted with the King, he hastened down to the Peers' House to anticipate and confound his assailants, by "accusing the Lord Say, and some others, of having induced the Scots to invade the kingdom." \* His loud summons at the door of the House, of which he was a member, was answered by Maxwell, Keeper of the Black Rod; and passing on with a proud and frowning countenance, he attempted to reach his accustomed seat. But the voices of too many peers were raised against his intrusion even for his bold spirit to disregard—so pausing, and having heard the cause of this "clamour more than was suitable to the gravity of that supreme court," he claimed a right to be heard, before his peers assented to the application for his committal. The justice of such request was too apparent, and they listened in silence to his firm avowal of innocence, and his warning not to establish a precedent against themselves, by restraining his liberty without the assignment of a single crime. "Consider, my lords, of what consequence such a precedent may be to your own privilege and birthright," was the judicious appeal with which he concluded, though it made not the desired impression; for, after a short debate, he was called in, and whilst kneeling at the bar, the Lord Keeper Finch announced to him, that it was resolved to commit him to the custody of the Gentleman Usher, to be sequestered from the House until he had cleared himself of the accusations that should be charged against him.†

\* Clarendon, I. 139. This authority slurs over the fact of Strafford coming direct from the King; he says, "It was about 3 of the clock in the afternoon, when the Earl, being infirm, and not well disposed in his health, and so not having stirred out of his house that morning, *hearing that both Houses still sat, thought fit to go thither.*"

† Speeches, &c. of this Parliament, &c. 116.

He wished to address the House, but the House refused to hear him. "In the outer room, James Maxwell required him, as prisoner, to deliver his sword, and when he had gotten it, he cried with a loud voice for his man to carry the Lord Lieutenant's sword. This done, he made through a number of people towards his coach, all gazing, no man capping to him, before whom, that morning the greatest of England would have stood uncovered, all crying, 'What is the matter?' He replied, 'A small matter, I warrant you;' but some rejoined, 'Yes, indeed, high treason is a small matter.' Coming to the place where he expected his coach, it was not there; so he behoved to return that same way through a world of gazing people. When, at last, he had found his coach, and was entering, James Maxwell told him, 'Your lordship is my prisoner, and must go in my coach;' so he behoved to do. For some days, too many went to visit him; but since, the Parliament has commanded his keeping to be stricter."\*

On the 25th of November, after the articles of impeachment had been exhibited against him, he was committed to the Tower, with an injunction to the Lieutenant, "that he should keep a close guard upon him."† In their anxiety to destroy their prisoner, the House of Commons forgot every dictate of justice and humanity; and, to a calm observer, betrayed a consciousness of the weakness of their legal evidence, by the virulence with which they strove to cut off every aid from him, who was now about to struggle for his life

\* Baillie's Letters, &c. I. 272, (dated Nov. 18, 1640).

† May's Long Parliament, 89. This author makes the day of committal, Dec. 8; but Nalson and Rushworth, the day named in the text.

against the people of three kingdoms. That such were his opponents is most certain, for the representatives of those kingdoms were there assembled suggesting and marshalling against him charges of criminality; and petitions flowed in, calling for judgment upon him, from whom, whilst living, "neither religion, life, liberty, nor estate, could be secured."

The House of Commons missed no precaution requisite for embarrassing the Earl, and for securing his condemnation. They impeached Sir George Ratcliff, his brother-in-law, and Irish Secretary, that they might remove him from aiding in his relative's defence, "ordering the Lieutenant of the Tower that he do not suffer Sir George to speak with, nor to send message or letter to, the Earl;"\* they complained of his friends "great resort daily" to him; they pressed that he should have no legal advisers to aid him; but the lords, with becoming dignity, replied, that he should have such counsel "as the necessity of the case, for his just defence, required;" no member of the House was allowed to visit him, and even a reluctant exception was made in favour of his brother, Sir George Wentworth; and when the House of Peers assigned him counsel, the Commons endeavoured to deter them from their honourable duty, by inquiring, "what these gentlemen had incurred, he being accused of high treason."† Notwithstanding these ungenerous

\* "The Earl had obtained from the King his houses' and royal stuff in the Tower. All came to him who pleased. But since Sir F. Windebanke's escape, the Lieutenant of the Tower, Sir W. Balfour, is enjoined to keep him straiter; so he has now but the liberty of three rooms, in the outmost whereof is a guard. Since he heard of Ratcliff being in prison, and of Wandesford's death, his two pillars, his heart is a little fallen."—*Baillie's Letters*, I. 282.

† Strode was the suggester that they might "charge as conspirators in the



and cruel efforts to shackle him in his struggle to establish his innocence, he beat them aside, and rose superior to the difficulties with which he was surrounded. The articles of impeachment were exhibited against him on the 25th of November and 30th of January ; and the Earl felt so assured that there was no charge embodied in them amounting to high treason, that he immediately wrote thus confidently to his wife :\*

SWEETHEART,

It is long since I wrote unto you, for I am here in such a trouble, as gives me little or no respite. The charge is now come in, and I am now able, I praise God, to tell you, that I conceive there is nothing capital, and for the rest, I know, at the worst, his Majesty will pardon all, without hurting my fortune, and then we shall be happy, by God's grace. Therefore, comfort yourself, for I trust these clouds will away, and that we shall have fair weather afterwards. Farewell.

Your loving husband,

STRAFFORD.

*Tower of London, 4th February, 1640-41.*

same treason all who had or should plead in that cause. If this hold, Strafford's counsel will be rare."—*Ibid.* I. 309. Baillie wrote as if he gloated over Strafford's sorrows.

\* Strafford's third wife, to whom he had united himself in the October of 1632, was Elizabeth, daughter of Sir Godfrey Rhodes, of Great Houghton, in Yorkshire. She appears to have been a pretty, common-place woman. He married her privately, concealed his union for some time, and never appears to have had such an elevated love for her as that which inspired him towards his second wife. She remained in Ireland during all his period of extreme suffering ; and there is no evidence of any effort made by her to save him from the executioner.



The proceedings in the late treaty, and Strafford's clear appreciation of the dangers which environed him, are particularised in the following letter, addressed to Sir G. Ratcliff.

COUSIN RATCLIFF,

I HAVE so many things to write that I know not well where to begin, on this side or on that ; but I will first let you see our present condition here, and come to the other at after.

Our Lords Commissioners concluded a cessation of arms with the Scots on Monday was sevensnight, and we transferred the treaty to London. I shall not need to mention any of the articles, because George Carre hath them to show you.

They gave an account to his Majesty and the Great Council, wherewith, to my thinking, his Majesty seemed not well pleased ; but after some hours of debate, his Majesty allowed thereof ; yet were not the articles signed by the rest of the lords as was desired by the Commissioners, neither are they to be signed by the King ; only his Majesty, by a letter apart under the signet, is to allow thereof. Much ado there hath been, and the greatest malignity expressed towards me that you ever saw ; wherein, nevertheless, I trust I have given them no advantage. Howbeit, the Scots have publicly declared me their enemy, a public incendiary, and I know not what besides.

My Lord of Bristol hath been their Mercury in all the treaty ; Holland, Mandeville, Wharton, and Savile, greatly busied therein, and Berkshire, under the highest

professions of friendship you ever heard, brought to be the conduit to utter all their bitterness towards me.

My Lord of Bristol professeth great friendship unto me, and very fair and kind we continue ; but yet he put it notably upon me in divers particulars whilst the business was in agitation. First, whether I would advise the breach of the treaty, and if so, how I would assure the King and kingdom we should be able to beat out the Scots. My answer was, that I was so far from advising a breach, as I should not presume a judgment in a business of so great consequence as the treaty was, and for assuring anything I was less able to do that ; I was not a prophet nor a son of a prophet, that I could divine ; and howbeit I had the honour to be of his Majesty's Privy Council, yet I was not of the Almighty's Privy Council, to undertake to bespeak the event of war beforehand. All I was able to do (and that I did) was truly to let them know as much as I knew of the strength of both armies, and so humbly to submit the resolution to their greater wisdom. Secondly, his lordship propounded that I might be left here to see the performance of the treaty, and that I should be the commissioner to treat and draw the adjacent shires,—Cumberland, Westmoreland, Lancaster, and York, to contribute with Durham and Northumberland towards the maintenance of the Scottish army. My answer was, that for the treaty, I was not so well knowing the private debates, arguments, reasons, and purposes thereof, as to be able so well to judge what might be or might not be in breach thereof, as others that had heard all ; and that in respect thereof, my Lords Wharton and Savile were far more capable to discharge that service

than myself. Besides, I had the charge of the army upon me, which alone was more than sufficient to a person of much more experience than myself.

For the latter, I held it no ways comely for me, commanding this army under his Majesty and my Lord General, to be busied in raising contribution for the Scottish army for two months' pay, not knowing the whilst where to procure two days' to our own ; so as I did absolutely protest against my being an instrument of drawing new provinces under the Scottish yoke ; and that in my own private capacity I would never give them anything, but rather bestow my whole estate upon the King than one farthing on them. Besides, I, being by them declared their enemy, was of all others least proper to be employed in their affairs. This debate finally took end, by his Majesty's saying, " That, indeed, they were not fit for me to meddle in." Lastly, his lordship and the other Commissioners acknowledging the treaty not to be such as they had cause to brag of, being only amidst these public misfortunes to choose the least of evils, they read a long declaration, containing the reasons wherefore they were constrained to conclude this treaty, in prevention of far greater mischiefs, and pitched the strength of these reasons forth of what I had said in the Great Council on several occasions, taking and leaving as they liked themselves best, and thus to make me the author of what they professed not good in itself ; and yet privately charged me to be of all others most averse to the treaty. Was not here, if you observe it, a rare art and malice together ? Here-upon was I forced to run over all I had said since the first time the Council of Peers sat, to deny some things

they said in that declaration, and throughout to supply it where they had left anything forth ; as, indeed, was done in most of the particulars so collected, and these most material ones.

Their lordships acknowledged some things to be mistaken, and so to be left out ; in other things my Lord of Bristol said it should be mended, and sent to me to alter and change any words not pleasing to me. I humbly thanked his lordship for his noble offer, but that it could not consist with my modesty to presume to be able to mend what had passed so much abler judgments and greater experience than my own. I humbly craved, that if it seemed good to their lordships to ground anything upon my sudden and weak opinions, they would take them altogether, and not to pick them forth by pieces ; and, as I live, if they publish this declaration, in answer thereof you shall have me ere long a fool in print.

I am to-morrow to London, with more dangers beset, I believe, than ever any man went with out of Yorkshire ; yet my heart is good, and I find nothing cold within me. It is not to be believed how great the malice is, and how intent they are about it : little less care there is taken to ruin me than to save their own souls. Nay, for themselves, I wish their attention to the latter were equal to that they lend me in the former ; and certainly they will rack heaven and hell, as they say, to do me mischief. They expect great matters out of Ireland, therefore pray you lend an ear to what may stir there ; howbeit, I know not any thing yet. George Carr hath something to tell you that against all events must be provided for.



If they come to charge, I will send for you to have your help in my defence. I pray therefore make ready, if the occasion be offered, else stir not. The King hath given me great demonstrations of his affection, and strong assurances as can be expressed in words. The Queen is infinitely gracious towards me, above all that you can imagine, and doth declare it in a very public and strange manner, so as nothing can hurt me, by God's help! but the iniquity and necessity of these times.

Three main disadvantages the King and his poor servants labour under at this time; and what the effects thereof may be, God Almighty knows! The uttermost of the Scots' demands are yet veiled from us, and certainly by design of some even among ourselves, so as the minds and opinions of the subjects are infinitely distracted; some thinking over well, others, may be, over ill of their purposes, which turn infinitely to the King's prejudice; for if they were once made patent, every man's judgment would be satisfied, and so unity and concurrence in councils, by God's grace, might follow, which is the only means, under his goodness, to preserve and save ourselves and children by. The Scottish army is still by this means kept as a rod over the King, to force him to do anything the Puritan popular humour hath a mind unto, which is a devilish practice, if you will consider it. This army, which is our bulwark, depends nearly upon the loan of the City; if that fail, we disband shamefully, and with all the danger that can be thought of, which certainly they will either enlarge or straiten, as the King shall please the Parliament more or less; which I assure you I take to be of

more peril than any of the rest, albeit the other are almost as bad as can be.

Thus you see we are in a brave condition ; could any man wish it worse ? The question is to be answered with a verse of Spenser, " God help the men, thus wrapt in error's endless traine." The Lord Keeper, to begin the business with, hath declared in open Parliament the war was advised by the body of the Council, which albeit in effect true, yet are they infinitely offended at it : what expedient they will find to recruit it we must expect. In the mean time I am hastened up ; that there is a great want of me ; that if I had been there that folly had not been committed ; that I was of absolute necessity to be there, and therefore no delay to be used ; and so am I pulled from old Woodhouse by head and ears, as they used to say, and forced to leave the army, which I confess I do most unwillingly, albeit a charge all others I would thank God to be free of. As concerning that other army there (in Ireland), it must rest as it is until I come to London, then you shall speedily hear from me again. In the mean time I would have the Deputy and you interesting the rest of the Council by degrees with you to deal with my Lord Ormond, that now being to go to their winter quarters, the soldiers' pay, during time of garrison, may be reduced to sixpence a-day, wherein not stirring the officers, you may have them to join in the business, taking your rise from the Parliament's abating, indeed abusing, the subsidies. If you compass this you do a great service, and methinks it is not very hard if dexterously handled ; for truly sixpence there is more than eightpence here ; but then your direction must be hastened thither before

the King's pleasure be declared for setting the subsidy and proroguing the Parliament. The Archbishop of York died since the King's departure, and thereby lies a tale which you can easily expound.

An answer to all other parts of your letters you will find in the inclosed, and in the duplicate of my letter to Secretary Windebanke, which George Carr hath to show you. Remember my service to the Deputy ; show him this letter : it will (show ?) from me that he must *tenir roide*, and not suffer my gentlemen to grow insolent upon him, and that his old rule of moderate counsels will not serve his turn in cases of this extremity. To be a fine well-natured gentleman will not do it : we are put by that ward : I cannot write to him now ; the best is, what is for one is for both. For love of Christ, take order that all the money due to my Lady Carlisle be paid before Christmas ; for a nobler and more intelligent friendship did I never meet with in all my life ; and send me as much as possible you can, for there will be use of all, and yet you must by any means make straight with the Vice-treasurer. A heavy task, you will say : I grant it ; but who can help that will away ? I must entreat both the Deputy and you to assist and advise Captain Rockley all you may ; and so, gentle George, farewell.

Your ever most faithful affectionate

friend and cousin,

STRAFFORD.

*Wentworth, Nov. 5th, 1640.*

I am, God be praised ! much amended in my health. Albeit I do not answer all your letters in this strait

wherein I am, yet I have great use of them, and hope to live to give you more thanks for them than a few lines can express. To the best of my judgment we gain much rather than lose. I trust God will preserve us; and as all other passions, I am free of fear: the articles that are coming I apprehend not. The Irish business is past, and better than I expected, their proofs being very scant. God's hand is with us, for what is there not we might expect to have been sworn from thence? Continue your letters, which are not ill bestowed upon me; for I observe them, and have great use of your advice, which hath helped me exceedingly. All will be well, and every hour gives more hope than other. God Almighty protect and guide us! \*

*Sunday after dinner.*

\* Ratcliff Correspondence.



## CHAPTER III.

Strafford's Trial commences—Arrangements in Westminster Hall—King present—Earl of Arundel presides—Earl of Lindsay—Strafford's coming to the Hall—His demeanour—Popular feeling turning in his favour—Charges against him—Conduct as Lord President and as Viceroy—Treatment of Lord Mountnorris—Tyranny in Ireland—War against Scotland advised by him—Enforcement of Ship-money recommended by him—Illness of the Earl—Commons feel their charges failing—Offer fresh evidence—Vere's notes received—Strafford's counter-evidence—Bill of Attainder preferred—Long in agitation—Letter of Ferdinando Fairfax—Attainder hurried forward—Lord Digby opposes it—Best copy of Vere's notes—Selden considered the charges not proved—Strafford's reply to them—Its impression upon his auditors—Glyn's and Pym's rejoinder—Bill of Attainder passed by the Commons—Charles addresses the Peers in behalf of Strafford—The advisers of that step—Popular clamour raised—The Peers urged to pass the Bill—The adherents of Strafford denounced—The Protestation signed by both Houses—Father Phillips's letter intercepted—The army in favour of Strafford—Letter of Mr. Stockdale—Mustering of the Troops—Rumours against the Scotch—Billet-money unpaid—Desire for Strafford's death—Assessment of Subsidies—The Protestation popular—Mr. Benson—Oppressive military conduct—Sir Jacob Astley.

On the 22nd of March, 1641, commenced that trial "which was and is, some way or other, the concern of every man of England ;" and Westminster Hall was its fitting arena. At the northern end, so that there should be ready admission from the main entrance door in Palace Yard, were two rooms erected, "in the one did Duke de Vauden, Duke de Vallet, and other French nobles sit ; in the other, the King, the Queen, Princess Mary, the Prince Elector, and some Court ladies. The hangings, which made them to be secret, the King broke down with his own hands, so they sat

in the eye of all, but little more regarded than if they had been absent, for the lords all sat covered ; those of the Lower House and all others, except the French noblemen, sat uncovered when the lords were present, but not else."

In the centre, a little in advance of these two rooms were "a throne for the King, and a chair for the Prince of Wales ;" but although the latter occasionally came to this position of state, his Majesty, being supposed to have delegated the dispensing of justice to others, never occupied the chair of state. He came daily, however, to be an auditor of the trial, and as "most of the lords and Lower House did write much daily, so none more than the King." The presiding judge at the tribunal was the Lord Steward, the Earl of Arundel, and he sat before the throne on "a large woolsack, covered with green cloth. Beneath it lay two other sacks for my Lord Keeper and the judges."\* Those who attended were "all in their scarlet robes," but the Lord Keeper Littleton, the ungrateful and the pusillanimous, was not of the number. Strafford had been his patron and the architect of his fortune, but he had not the courage to stand forth in this hour of the peril of his patron, and as President to make sure that the balance was poised equally for the assailed as well as for the assailants. He pleaded sickness, and slunk from the judgment-seat, and was succeeded in it by Strafford's enemy, the Earl of Arundel. This cast a shadow upon the very opening of Strafford's trial. The Lord Keeper,

\* The arrangement of the Hall was under the direction of "the Speaker of the Peers, the Earl of Lindsay, who was made Lord High Constable of England for that time."—*Whitelocke*, 40.

however, had showed his cowardice and his incapacity, when, a month previously, Strafford had been first arraigned. On that day, February 24th, the King entered the House of Lords without his robes, and his visit being unexpected he was received without ceremony, and took his seat upon the throne. Having informed the House that he merely attended to hear the articles of the impeachment, the Earl was called to the bar, and they were read, and so soon as they and the Earl's answers to them had been concluded, his Majesty withdrew. It was then moved that the arraignment be again gone through, some of the Peers considering that the King's presence had rendered the previous proceeding *coram non judice*. The Lord Keeper ought to have refuted this bad law, and have vindicated the King's prerogative to be present at all times in Parliament, and in his Court of Justice ; but his lordship dared not attempt to stem the indignation expressed at the King's intrusion, and without any opposition Strafford was recalled, and the impeachment and the answer were once more read.

In front of the woolsack was a small table, at which sat "four or five clerks of the Parliament in their black gowns." On each side of these were the benches "covered with green friezes,"\* for the Peers who sat in judgment, habited "in their red robes, lined with white ermine skins." "The Barons on their right sleeve having two bars of white skin, the Viscounts two and one half, the Earls three, the Marquis of Winchester three and one half. England hath no more Marquisses," adds Baillie, from whom this description is

\* "Red cloth."—*Whitelocke*, 40.

chiefly taken, "and he but one late upstart of Queen Elizabeth's. Hamilton goes here but among the Earls, and that a late one. Dukes they have none in Parliament; York, Richmond and Buckingham are but boys, and Lennox goes among the late Earls."

Behind the Peers, and separated from them by a bar covered with green cloth stood the committee appointed as counsel for the impeachment. They were Lord Digby, Hampden, Pym, St. John, afterwards the King's Solicitor General, Sir Walter Earle, Palmer, Attorney General to Charles the Second, Maynard, subsequently a Sergeant, and Glyn, at one time Recorder of London. Lower down behind the same bar was a small desk, at which "the prisoner Strafford stands or sits as he pleaseth, together with his keeper, Sir William Balfour, the Lieutenant of the Tower. At the back of this is a desk for Strafford's four secretaries, who carry his papers and assist him in writing and reading. At their side is a space for the witnesses, and behind them a long desk next the wall for Strafford's counsel, some five or six able lawyers." The leader of these was Lane, afterwards the King's Lord Keeper at Oxford; Gardiner, the City Recorder, whom Charles had desired for Speaker; with Loe and Lightfoot as juniors; the names of the others have not reached us.

On each side of the hall, and extending its entire length, "arose a stage of eleven ranks of forms, the highest touching almost the roof: the two highest were divided from the rest by a rail, and another rail at each end cut off some seats. Within the rails sat the gentlemen of the House of Commons, and many hundreds more of gentlemen who could get places with them."



The description of the first day will suffice to give an idea of the manner of proceeding throughout, for each that succeeded during the lengthened course of the trial was but a repetition of the same painful details.\* So intense was the public interest in its proceeding, and such numbers crowded to be spectators of it, that, Baillie says, "we always behoved to be there a little after five in the morning : my Lord Willoughby, Earl of Lindsay, ordering the house with great difficulty." By seven the hall was full, and at eight the lords had taken their seats. Many ladies were seated near the throne for places "for which they paid much money ;" and the Prince of Wales, then a mere child, "sat (occasionally) on a little chair near the throne." The King and Queen with the members of the Court, had arrived "about nine of the clock, but kept themselves private within their closets, only the Prince came out once or twice to the cloth of State."† "It was daily," says our Scottish authority, "the most glorious assembly the isle could afford, yet the gravity not such as I expected ; oft there was great clamour withoutside the door ; in the intervals, whilst Strafford was making ready for answers, the Lords got always on their feet, walked and clattered ; the Lower House men, too, loud clattering. After ten hours, much public eating, not only of confections but of flesh and bread ; bottles of beer and wine going thick from mouth to mouth without cups ; and all this in the King's eyes : yea, many but turned their backs and did

\* It began on the 22nd of March, and concluded on the 12th of April. The Bill of Attainder passed the House of Commons on the 21st of the latter month, and the House of Lords, on the 10th of May.

† Rushworth's Trial of Strafford, 41, who was "purposely placed near the Earl, to take in characters whatsoever should be said either for or against him."

worse, for there was no outgoing to return ; and often the sitting was till two or even four o'clock."\*

Strafford came from the Tower in his barge attended by its lieutenant, guarded by 100 partizans in six barges, and was received on landing at Westminster by a guard of the Trained Bands, who conducted him to the Hall. On his entrance the porter asked of the usher whether the axe should be borne before the Earl, but the King had forbidden this painful and useless form ; nor was it customary " except when a prisoner has to be put upon his jury." He bowed lowly to his judges as he entered the court, and after advancing a few steps he repeated this courtesy, and again when he reached the place at which he was to contend with his accusers. He then advanced to the bar, and having bent upon one knee for a second, he rose, " saluted both sides of the House, and then sat down." " Some few of the Lords lifted their hats to him," and the rest of the assemblage had the good taste to be silent if not courteous. Appareled becomingly in mourning, courteous yet bold, and with a countenance " manly black," on which, though " terror mixed with wisdom," usually were impressed, now softened by affliction, imprisonment, and acute disease, it is no wonder that even the hearts of his opponents were softened by his appearance. But after his eloquent address had been heard—ready, bold, cogent, and pathetic as it was—his enemies saw and acknowledged he was winning his way to an acquittal, and extorted from Serjeant Maynard the tart acknowledgment, " that by the flow of his eloquence he spent time to gain affection ;" " as indeed," says Baillie,

\* Baillie's Letters, I. 316.

“with the more simple sort, especially the ladies, he gained daily much.” But this generous feeling was not confined to them; for who can look without sympathy upon greatness contending with dignity against adversity? “Soon,” says one of his opponents, “the people began to be a little divided in opinions;\* the clergy in general were so much fallen into love and admiration of him, that Laud was almost forgotten by them; the courtiers cried him up, and the ladies, whose voices will carry much with some parts of the State, were exceedingly on his side. So great was the favour and love which they openly expressed for him, that the verse could not but be remembered,

Non formosus erat, sed erat facundus Ulysses,  
Et tamen æquoreas torsit amore Deas.

Ulysses, though not beautiful, the love  
Of goddesses by eloquence could move.”†

This favourable feeling towards Strafford, however, influenced those of sterner metal than his countrywomen, for the army began to be moved in his favour. “In my letter by Mr. Mauleverer,” says Mr. Stockdale, writing again to Lord Fairfax, “I gave your lordship a touch of the present inclination of the soldiers now lying in this county (Yorkshire); they continue much after the same manner, neither unquiet nor well resolved to be content with peace. Yet every day their affection to the Lord Strafford’s deliverance and safety doth appear most evidently; and it is the more remarkable, because it is not many months since he was scarcely beloved or

\* “The crowd of people was neither great nor troublesome. All of them saluted him and he them, with great courtesy, both at his entrance and at his return.”—*Rushworth*, 43.

† *May’s Long Parliament*, 92.

valued by any of them. The general opinion in these parts is, that he will escape the censure of treason ; but I am persuaded that the House will not think it stands with their reputation to fail in an action so much concerning the public, and themselves also in particular, if he should escape, who is known to be of a vindictive character.”\*

It would be tedious and of no utility to trace the evidence by which the managers of the Earl's impeachment endeavoured to establish each charge against him, or the testimony he produced in his defence to rebut it ; but we may advantageously confine ourselves to the particulars which were established by witnesses or admitted by the accused.

It was established that, as Lord President of the Northern Court, he had held himself superior to the Courts at Westminster, declaring that if from them any one brought a prohibition to stay any cause in his court, “he would lay him by the heels ;” but then as the Earl replied, “if there be an error in a judge so that he determines otherwise than a man of better understanding considers reasonable, this is not to be heightened into treason ; for if it were so, few judges would serve.”

It was next endeavoured to be proved that Strafford had publicly declared in Yorkshire “that the King's little finger should be heavier than the loins of the law ;” but after showing that he was in Ireland when the words

\* Fairfax MSS. The writer of this letter was a Yorkshire Magistrate, and subsequently represented Knaresborough in this Parliament. The letter is dated 30th April, 1641, and directed “To the Right Honourable my singular good Lord, the Lord Fairfax, Baron Cameron, at his lodgings, at Mr. Brigham's house, the sign of the Saracen's Head, in King-street, Westminster.”



were said to be uttered, he declared that he had made use of a speech diametrically the reverse of that charged, though at another period. He was in Yorkshire persuading certain gentlemen to compound for knighthood, by showing that it was much less chargeable to them than if they should be compelled to do so by legal process, adding, "for the little finger of the law is heavier than the King's loins." That this version was truth was proved by the evidence of one of the House of Commons' own members, Sir William Pennyman, and one of the managers of the impeachment, Maynard, could only vent his vexation in the sarcasm, "He did his duty well, being a member of the House of Commons, never to inform them." This called forth an indecent volley of hisses from the Commons, by which "Sir William was confounded and fell a-weeping;" upon which the Earl, with becoming feeling and judgment, besought the peers to protect his witnesses, for "my lords," he added, "rather than I should prejudice any man in that kind I would put myself on God's mercy and goodness, for I account it an unjust thing to overthrow another to save myself." Other witnesses were called to prove the charge as laid in the impeachment, but it need only be further observed, that, supposing them to have been correct, yet the Earl was right when he observed, "It is no treason within the statute."

The next charge against the Earl was, that he had publicly declared Ireland was a conquered nation, and that the King might do with them what he pleased. The evidence upon this was conflicting; but even supposing that he had so expressed himself, yet Serjeant Maynard acknowledged "the Commons never passed

these words singly to be treason." As to the addition to this charge, that the Earl had said the Dublin city charters "were nothing worth, and did not bind the King," it appears that this was no more than the opinion of the King's law-officers. Besides, those charters remained still enjoyed by the corporation ; but if they had been infringed upon, what lawyer would have said that this was treason ! Errors they may have been, and of "errors," said Strafford, "I may have many ; perhaps my tongue hath been too free ; my heart, may be, hath lain too near my tongue ; but God forbid that every word should rise up in judgment against me." For the better proof of what the words actually spoken were, he desired that Sir George Ratcliff, who was present when they were spoken, might be examined ; but the Commons, foreseeing his importance as a witness for the defence, had impeached him also of treason. That was unjust in its purpose, yet could only be effectual by its securing from the peers an illegal decision that it incapacitated him from giving evidence, and that decision was attained. It deserves to be recorded, that Ratcliff was not the only Irish privy-councillor impeached for the purpose of silencing them. The Lord Chancellor, Sir Richard Bolton ; the Chief Justice of the Common Pleas, Sir Gerard Lowther ; and the Bishop of Derry, Dr. Bramhall, were charged with high treason, and committed to prison. "I have been near a fortnight at the Black Rod, charged with treason," said the Bishop, writing to his wife on the 12th of March, 1641 ; "never any man was more innocent of that foul crime ; the ground is only my reservedness. God in his mercy, I do not doubt, will send us many merry and happy days

together when this storm is blown over." He was a true prophet, for the impeachment against the four was entirely abandoned, so soon as their prosecutors' object had been attained by the fall of Strafford.

The next charge was fully established by evidence, and proved that the Earl had decided causes at the Irish Council Board which were cognisable only by the courts of law. That board had no jurisdiction over lay titles to land or benefits thence arising, and such was the lay-impropriation of tithes enjoyed by the Earl of Cork; for endeavouring to protect which in a court of law, Strafford threatened to "clap him in the Castle," adding, "For, I tell you, I will not have my orders disputed by law nor lawyers." It was made an aggravation of Strafford's oppression in this instance, that he had endeavoured to force into the Earl of Cork's rectory, Strafford's own under-coachman, one Arthur Gwyn. But this must be admitted to the Earl's honour rather than to his discredit, for Baillie acknowledges that Mr. Gwyn "was a Master of Arts," to which he could not have been admitted without such learning as entitled him to be raised from that station to which misfortune probably had reduced him.\*

The most despotic and most illegal of the acts laid to Strafford's charge, and fully established by evidence, was his treatment of Lord Mountnorris. This nobleman "in a time of full peace," at a private dinner-party, had said that a kinsman of his had hurt Strafford's gouty foot, "perhaps in revenge of a public affront," done by him, to Lord Mountnorris. For these words, without notice, about eight months after, Strafford summoned

\* Baillie's Letters, I. 324.



Mountnorris to a Council of War, and then, without hearing any defence, or giving him time to summon witnesses, that council sentenced him to be deprived of all his appointments, to be disarmed, and to be shot or beheaded, "at the pleasure" of Strafford.\* It is quite true that Strafford did not vote on this occasion, but the members of the council were his creatures, and he sat there until they had concocted what he was pleased to designate "a noble and just sentence;" it is also quite true that Lord Mountnorris was a proud, overbearing, and unpopular nobleman; and it is equally certain that Strafford only imprisoned him, and, as he said, may have intended only "to discipline Lord Mountnorris, and teach him to govern his speech with more modesty."—But admitting all this, still the trial was illegal, the sentence disproportioned to the offence, the insults heaped upon Lord Montnorris most unjust; and, at all events, there could be no defence of his brutality to Lady Mountnorris, who on her knees in the open street presented the King's pardon, for which, with a wife's devotion, she had hastened to England and obtained. We can but scorn the tyrant, whose only reply to this part of the charge was, "My Lady Mountnorris's courtesy was above all measure displeasing."†

It is needless to pause upon the charges against the Earl, of permitting the issue of general warrants by one

\* In a letter to the Secretary of State, dated December 14, 1635, Strafford had ventured to say that Lord Mountnorris had been sentenced "after a full and clear hearing of all he could say in his own justification."—*Strafford Letters*, I. 498. The very anxiety evinced in those Letters to show that he had had no voice in the proceeding betrays what it would willingly conceal.

† The public condemnation of the proceedings against Lord Mountnorris, and the corrupt motives on which it was said to be founded, may be gathered from the *Strafford Letters*, I. 500, &c.



of the bishops, for however oppressive, they were not without precedent in Ireland ; or upon those which alleged he had imposed excessive duties upon wool, hides, and tobacco; for it has been well observed, that never before had the fact of increasing the price of a fleece of wool, or a roll of tobacco, formed an ingredient in a charge of high treason. That he profited by having a monopoly of tobacco was fully proved, but monopolies were then of frequent occurrence, and his pecuniary gain did not alter its complexion, for the Earl truly remarked, “the goodness of a bargain could not make it a treason.”

The attempt to make the next charge high treason was still more ridiculous than the preceding, for it was no more than an order of the Council Board, that flaxen yarn should be only reeled in one particular way. It was quite true that the constables and others appointed to see the order obeyed, executed their commission with great severity, and for this they should have been punished. But the severity was unquestionably caused in the first instance by the resistance made by the spinners—a resistance so obstinate, that the order of council was obliged to be recalled. It was not attempted to be denied that the reeling process which was sought to be enforced, was an improvement upon the rude mode pursued by the natives ; and Strafford said that he only sanctioned the issuing of the order “to bring them from these Irish customs to English manners,” and that similar orders had been issued and enforced to prevent them from attaching their horses to their ploughs by the tail, and to enforce the practice of thrashing instead of burning the straw to obtain the corn. “If it savoured of oppression, it tended not towards treason.”

The same reply applied to the next accusation, satisfactorily proved, that Strafford issued warrants to quarter soldiers upon individuals who had failed in satisfying their creditors. Such oppression, such illegality, accompanied as it was by all the brutality of licentious soldiers, was indeed a high crime and misdemeanor. It was no defence, though preferred by the Earl, that other Lord Lieutenants had similarly quartered the military upon crown debtors, and those who harboured criminals, for the instances in which he had been the oppressor were in cases of private debts, and to oblige private individuals. Coupled, however, with this charge was another offence, which made the tyranny more bitter, by taking from it all power of appeal to a higher tribunal. All persons were forbidden to resort to England, until they had a licence from the Earl, and it was proved that he used this to gratify private pique, and to the ruinous disadvantage of many. It matters not that he obtained the King's sanction to such a course of despotism, for even supposing that it was legal to restrain the Irish gentry from the passage into England, "still here is the sting of my lord of Strafford's proceeding," observed Serjeant Maynard; "he avails himself of this power to prevent the complaints which might be brought to his Majesty against his injustice."

The next charge against the Earl was for having framed an oath, which he endeavoured to compel all the Scotch resident in Ireland to subscribe, whereby they pledged themselves not merely to be loyal subjects, but not to adhere to the League and Covenant. It is quite true, that a similar oath was offered to many in England, and that both the oaths had the King's sanction; but it is equally true that no such oaths could be legally

enforced but by Act of Parliament. In England it was not urged upon any, but in Ireland it was so rigorously enjoined, that thousands left all their property, and fled to their native country, rather than thus pledge themselves to act contrary to their consciences. Only one specific instance was proved of the Earl's enforcing obedience to this, and that was the family of the Stuarts. The father and mother were each fined 5000*l.*, and the two daughters each 3000*l.*, and in default of payment they were committed to prison. In this instance he did not carry out his threat to the letter, that "those who refused to take the oath he would prosecute to the blood," but he certainly "stretched his power above the law ;—framed a new law, and for not observing that, a new punishment also."

The next charges were that the Earl, at the Council Board, had advised an offensive war against the Scotch ; that in conversation he had said, that if the Parliament would not grant to the King the requisite supplies, the King would be justified, for the safety of the state, in taking the property of his subjects, for that he was not to be mastered by their frowardness ; but, above all, that the Earl had advised the King in these or similar words—"You have an army in Ireland which you may employ here to reduce this kingdom." Words which were reported by Sir H. Vane, and which subsequently were urged more strenuously against Strafford. As these charges at first stood, a war being resolved upon, there was no treason in expressing an opinion that an offensive, rather than a defensive, war, was to be preferred. On a sudden emergency, *Salus reipublicæ suprema lex* ; "when there is no time to call a



Parliament, the King, as common parent of the country, may use all possible means for its safety." "This," added Strafford, "this may be a foolish opinion, but for this a man should not forfeit his life, honour, and inheritance." He denied that he had ever advised that the Irish army might be employed against England, but it being difficult to establish a negative, he could do no more than produce such members of the Privy Council as being present at the time did not hear the word alleged. But supposing these words to have been uttered, still, as the Earl observed, "nothing is more common than for a councillor to be of one opinion when he comes out of his chamber, and to have that opinion confuted by the wisdom of his fellow-councillors—nothing was done to enforce the opinion he was alleged to have expressed—and though an opinion may make a heretic, he never heard that an opinion could make a traitor." Moreover, "if words spoken to friends in familiar discourse, at one's table, in one's sick bed, and perhaps to gain light and information, were to be gathered into treason, it would take away the comfort of all society, and it will become a silent world. If words spoken under an oath of secrecy at the Council-table shall be taken against a man for the attainting of himself and the disinheriting of his children, what wise and noble person of fortune will, upon such perilous terms, adventure to be a councillor to the King?"

The evidence of the Lord Mayor of London, Sir Henry Garaway, established the urgency and illegality of the means recommended by Strafford to extort loans and Ship-money. Sir Henry said that he was frequently summoned before the Privy Council, for the Ship-money



demand was not procurable, and "he could not tell which way to turn himself to levy it." He told the King of the difficulty, and that of the Ship-money, (demanded two years before,) not one-half of the City had paid, and that the willing men who had paid thought this inequitable. This reply being distasteful, Strafford said to the King, "Sir, you will never do good on this man till you have made him an example. He is too diffident; unless you commit him, you shall do no good upon him." And on another occasion, when the aldermen refused either to advance money as a loan, or to give a list of those who were equally resolved not to part with their money, the Earl spoke in a similar way to the King respecting the aldermen, adding, "Unless you hang up some of them, you will do no good upon them." Strafford did not deny one of these speeches, but observed, after regretting their utterance even to assist the King in his time of necessity, that they were no more than words. "True, my lords," rejoined Mr. Glynn, "they were but words, but let it be remembered that for words spoken concerning treading on his toe, the Earl procured a sentence of death against the speaker."\*

It deserves especial notice that Strafford did not deny having advised the rigorous levying of Ship-money, but he rested satisfied with pleading that "he advised no other ways than had been before used," and that the impost being sanctioned by the judges, "it was not for him to dispute what they had done." This deserves to be remembered, because such levy was in

\* Lord Mountnorris, see p. 70. It was not true that no consequences arose from those words, for four Aldermen were imprisoned or "laid by the heels" the same day.—*Rushworth*, 598.

direct defiance of the Petition of Right, and "this great man's principal crime, objected against him by the Parliament, was, his attempts to subvert that excellent law, which he himself had promoted with the most ardent zeal, as the best inheritance he could leave to his posterity. The laws confirmed and renewed in that Petition of Right were said to be the most envenomed arrows that gave him his mortal wound."\*

Thus closed the evidence adduced at this memorable trial; and no one can rise from its perusal without the conviction that most signally did it fail in establishing the charge of treason against the arraigned. This conviction was that also felt by his friends at the time:—"They are all hopeful and almost confident of his deliverance," wrote Mr. Stockdale, to one of the Earl's accusers, Lord Fairfax.† Strafford felt equally sanguine, as we have seen in his letter to his wife; and Lord Baltinglass, upon premises which proved deceitful, felt equally confident, saying, "His lordship trusts extremely well of his cause, having God and the King on his side, and the Lords' House fairly inclined towards him."‡

Strafford's accusers, the House of Commons, felt that they were failing in their object, and this conviction stimulated them to further exertion, and increased their bitterness. The morning after the case against him was closed, he was to have replied generally upon the evidence; but when the morning came, the Lieutenant of

\* Rushworth, in Preface.

† Fairfax MSS. April 10, 1641.

‡ Yet the Earl prepared wisely for the worst, the same letter stating that the King had given him the power to dispose of his Irish estates "notwithstanding his accusation, or what may follow thereon."

the Tower and the gentlemen of the Earl's chamber, attended in the Hall, and deposed that he was confined to his bed by a violent return of his old calculous disorder. Mr. Glyn urged that a physician should have attended to make this report, and that in the absence of medical evidence it must be taken to be Strafford's "wilfulness, rather than weakness." But the Peers took a more liberal and more just view of the circumstance; for the four noblemen whom they deputed to visit the Earl, found two physicians with him, who thought he might attend in the Hall next day.\*

On the morrow he again confronted his accusers, whose claim for permission to produce fresh evidence, was demurred to by the Earl, on the ground that the case was closed. Glyn replied, that it was not closed so long as the evidence was not summed up, adding, with uncalled-for discourtesy, that "it did not become a prisoner at the bar to prescribe a method of proceeding to the Commons of England."

"I think," replied Strafford, "it concerns me as nearly to defend my life, as it does any one to pursue it. Yet I am willing new proofs should be brought, provided I have liberty to reply, and to produce witnesses on some points which concern my justification."

The Lords acceded to this plain dictate of "common equity," but it did not accord with his accusers' intentions. They had some fresh evidence to adduce that would not bear a strict investigation,—some rough notes, purporting to be written by a living witness. "So at once the Commons began to grumble;" the decision "showed that Strafford's friends were strongest

\* Nalson, II. 100.



in the Higher House ;”\* therefore the Commons rose on both sides of the Hall, clamouring “ Withdraw, withdraw !” and, with one accord, “ on with their hats, cocked their beavers in the King’s sight, and went all away in confusion ; Strafford slipped away to his barge, and to the Tower, glad to be gone, lest he should be torn in pieces ; the King went home in silence ; the Lords to their House,” without even adjourning the court.†

Those rough notes, now proffered as evidence, deserve more than a mere cursory notice. They purported to be notes, taken by Sir Henry Vane, Secretary of State, of certain opinions expressed by the King, Laud, Strafford, and Cottington, at a meeting of the Privy Council, on the 5th of May, 1640. There is a grave suspicion as to the genuineness of those notes, for in the “ Journals of the House of Commons ” it is recorded, that the paper produced was only a “ a copy ;” and it is a striking fact, that Whitelocke’s detail of their contents differs essentially and extraordinarily from that given by Nalson.‡ It seems certain that Whitelocke’s particulars

\* Baillie’s Letters, I. 345.

† Ibid. I. 346 ; Nalson, II. 102.

‡ Nalson, II. 208 ; Whitelocke, 41. Rushworth was clerk to the Parliament, and his silence can only be accounted for, by supposing that the notes were never produced as evidence, but were read *obiter*. To suppose that he suppressed them with an unfair intention is absurd, for they were unfavourable to Strafford. The history of the discovery of these notes, as related by Nalson, Clarendon, and Whitelocke, is briefly this. Old Sir H. Vane being in Kent, arranging settlements preparatory to his son’s marriage, sent to the latter, then in London, the key of his cabinet, to obtain some papers to be returned by the bearer. In searching for those papers, the son found these notes of the Privy Council debate—notes, be it remarked, which, if they ever existed, were in defiance of the King’s order, that such notes and memoranda should be destroyed. Young Vane communicated a copy of those notes to Pym, who employed them in the way mentioned in the text. The fullest copy of the notes is given by Nalson, II. 208.



must have been given from his own memory and those of his brother managers of the impeachment, for when the notes were required for use, they could no where be found. Whitelocke, as Chairman of the managers, having the charge of all the papers, was the person suspected of having made away with the notes ; but he and all the managers made a solemn protestation, that they had neither taken them, nor knew what had become of them. Lord Digby made this protestation " with more earnestness and deeper imprecations than any of the rest ; yet, afterwards, at the battle of Naseby, the King's cabinet being taken, among the papers in it was found a copy of these notes, under the Lord Digby's hand."\* Neither the copy, nor the portions remembered by Whitelocke, appear to have been read to the House of Lords, and this accounts for Rushworth's silence respecting them. It is true, that Whitelocke states the contrary, but then, he also states, as Strafford's reply, the very words which the Earl used in answer to the 23rd article of the impeachment, and if his memory failed in one particular relative to this charge, it might also fail in another particular ; and more especially when he contradicts himself by saying, that " the notes were openly read " in the hall ; and in another sentence, that they had been lost at the committee. Baillie states that the

\* Whitelocke, 42 ; Baillie's Letters, I. 345. Nalson does not state that Sir H. Vane's notes were communicated to the House of Lords, but only that some fresh evidence was " begun to be offered ; " and Clarendon, who gives very full particulars, only mentions that those notes were made known to the Commons. It is certain that those notes had been shown to Strafford, for in his summing up his defence he mentioned that the debate at the Council Board had taken place on the 5th of May. This date was affixed to the " notes," though not mentioned by Sir H. Vane in his evidence ; and Mr. Glyn hit the blot by observing, in the course of his reply, " I wonder how he came to the knowledge of the day."

Lords would only allow the Commons to adduce fresh evidence on condition that Strafford might do the same, and if the paper had been read, this would have been an infraction of their resolution, and the Commons, having obtained its admission, need not have "risen in such a fury." Moreover, in the "Journal of the House of Commons," April 12th, we find, that at a conference with the Lords, the Commons merely asked for the admission of "a narrative of the evidence *mentioned* on Saturday last, to which two members of the House were ready to depose." There was no need for this if the missing note had been read in evidence.

So soon as the Commons had withdrawn from Westminster Hall to their own House, Sir Arthur Haselrigg introduced a bill "for the Attainder of the Earl of Strafford." Much ingenuity has been wasted in the endeavour to discover reasons for this irregular mode of proceeding, but that which is stated in one short sentence by Baillie, appears quite sufficient, "It was shown that Strafford's friends were strongest in the Higher House."\* Those friends were to be overawed, and it would be too late if they were allowed to record their opinions by a verdict of "Not guilty" on the impeachment. To overawe them one powerful engine would be, a vote of the House of Commons, a verdict of some 250 gentlemen, that they considered the evidence had established the Earl's guilt.

This mode of proceeding against Strafford was no new or sudden suggestion, for Waristoun, writing to Lord Balmerino a week previously, said, "Strafford's business is but yet on the 15th article ; the Lower House, if they

\* Baillie's Letters, I. 345.

see that the King gains many of the Upper House not to condemn him, will make a Bill of teinture, and condemn him formally in their own House, and send it up to their House as any other Act of Parliament." \* And that such a course had been contemplated even still earlier, is intimated by a passage in the following letter :—

FOR MY VERY LOVING BROTHER, MR. HENRY FAIRFAX, AT  
ASHTON-UNDER-LYNE, LANCASHIRE.

GOOD BROTHER,

I HAVE advised with divers gentlemen, who serve for the counties of Lancashire and Chester, concerning an university at Manchester, but find them hopeless of having it. I gave the writings concerning that business to Mr. Ashton, one of the knights for that county, to confer with the rest, who has not yet given me any answer. The way to effect it must be by Bill, which will be a charge of one hundred marks at least, too much to be hazarded on so great an uncertainty ; and, therefore, I think it fittest to let that rest, and let none come to solicit it in this troublesome time, when all businesses of the commonweal are at a stay, my Lord of Strafford still keeping us in play. Against him we have framed a short Bill to convict him of treason, which was the speedier way, had we not been at first misled by the other opinion of going by the Lords, to effect either of which (both being now on foot) I fear will take a fortnight's time longer, my lord having yet to answer by counsel upon the first way, and upon the other ; our Bill being yet upon committee in our own

\* Dalrymple's Memorials, II. 117.

House, which will ask divers days to be engrossed for the Lords, where it may attend their leisures. So are all the business of the commonweal at a stop at this present. If there be an open I shall let you know ; but I long to be in the country, where my cousin Bellasis has been this month, and promised to return by Easter. Either myself before I go, or he in my absence, will do our best, but truly I much fear the success. I pray you remember my love to my sister ; so, in haste, I rest

Your very affectionate brother,

FER. FAIRFAX.

20th of April, 1641.

It has been stated by some who ought to have been better informed, that the Bill of Attainder was read twice in one day ; but this is contrary to the truth, and there is no need to make out a case of haste and harshness against the House of Commons of a complexion darker than is rendered by facts. The Bill thus introduced and read a first time on the 10th of April, and read a second time on the 14th, was yet in committee, Lord Fairfax says, on the 20th, and the day following it was read a third time and passed.\*

Previously to its third reading, it was opposed by Lord Digby in an unanswerable speech, and which must have carried conviction to the minds of all but those

\* Journals of the House *in loco* ; Parl. Hist. IX. 252 ; and Rushworth, IV. 47. Nalson (II. 157) and Clarendon (I.) are the two writers who make the misstatements relative to the Bill of Attainder. Nalson says it was "*thrice* read in one day ;" and Clarendon, that "it was immediately read a first and second time, and so committed." Dugdale concurs in this, in his "Short View of the Late Troubles," 68.



who were resolved not to be persuaded from their course.

Lord Digby had been one of the six members deputed by the Commons to conduct Strafford's impeachment, and his reasons for not condemning the Earl fell therefore from his always eloquent lips with a tenfold authority :—" I was engaged with earnestness in his prosecution," he said, " but the ground of our accusation, the spur to our prosecution, that which should be the basis of my judgment unto treason against the Earl of Strafford is vanished away. I mean, Mr. Speaker, his advising the King to employ the army of Ireland to reduce England. I was assured that this would be proved, before I gave my assent to his accusation. I was confirmed in the same during the prosecution, and fortified in it most of all since Sir Henry Vane's preparatory examinations, by the assurances Mr. Pym gave me that his testimony would be made convincing by some notes of what passed at the Juncto (Cabinet Council) concurrent with it. I understood those notes to be of some other councillor, but they now prove to be but a copy of the same secretary's notes, discovered and produced in the manner you have heard, and those only disjointed fragments\* of the venomous parts of discourses ; but no results—no

\* The following is Nalson's copy of Sir H. Vane's " disjointed fragments " :—

LORD LIEUTENANT OF IRELAND.

No danger in undertaking the war, whether the Scots are to be reduced or not ?

To reduce them by force, as the state of this kingdom stands.

If his Majesty had not declared himself so soon, he would have declared himself for no war with Scotland. They would have given him plentifully.

The City to be called immediately, and quickened to lend one hundred thousand pounds.

The Shipping-money to be put vigorously upon collection.

conclusions of councils, which are the only things that secretaries should register, the other being useless,

Those two ways will furnish his Majesty plentifully to go on with arms, and war against Scotland.

THE MANNER OF THE WAR.

Stopping of the trade of Scotland no prejudice to the trade, free with England, for cattle.

A Defensive War totally against it.

Offensive War into the kingdom. His opinion—Few months will make an end of the war : Do you invade them.

LAUD, ARCH.

If no more money then proposed, how then to make an Offensive War a difficulty.

Whether to do nothing and let them alone, or to go on with a vigorous war.

L. L. IRELAND.

Go vigorously on, or let them alone ; no Defensive War ; loss of honour or reputation ; the quiet of England will hold out long ; you will languish as between Saul and David.

Go on with an Offensive War as you first designed, loosed and absolved from all rules of Government.

Being reduced to extreme necessity, everything is to be done as power will admit, and that you are to do.

They refused ; you are acquitted toward God and man. You have an army in Ireland you may employ here to reduce this kingdom.

Confident as anything under heaven, Scotland will not hold out five months—one summer, well employed, will do it ; venture all I had, I would carry it or lose it.

Whether a Defensive War as impossible as an Offensive War ! or whether to let them alone.

L. ARCH.

Tried all ways, and refused all ways. By the law of God you should have subsistence, and ought to have, and lawful to take it.

L. COTTINGTON.

Leagues abroad they make and will, and therefore the defence of this kingdom.

The Lower House are weary both of King and Church.

It always hath been just to raise moneys by this unavoidable necessity, therefore to be used being lawful.

L. L. IRELAND.

Commission of Array to be put in execution.

They are to bring them to the borders.

In reason of State, you have power, when they are there, to use them at the King's pay. If any of the lords can show a better, let them do it.

Town full of nobility ; who will talk of it ; he will make them smart for it.

except to accuse and to bring men into danger. But this, Sir, which I shall tell you, is that which works with me to an utter overthrow of his evidence. The first time he was questioned to that part which concerns the army of Ireland, he said positively, 'I cannot charge him with that.' Some days after, he was examined a second time, and then repeated that he could say nothing to that. Here we thought we had done with him, till divers weeks afterwards, my Lord of Northumberland, and all others of the Juncto, denying to have heard anything concerning those words of reducing England by the Irish army, it was thought fit to examine the secretary once more, and *then* he deposes these words to have been said by the Earl of Strafford to his Majesty,—'You have an army in Ireland, which you may employ here to reduce this kingdom.' Now he who twice upon oath, with time for recollection, could not remember anything of such a business, might well the third time misremember somewhat; and the difference of one letter, 'here' for 'there,' or 'that' for 'this,' quite alters the case: the latter, also, being the more probable, since all confess that the debate then was concerning a war with Scotland."

Lord Digby then proceeded to observe that the proof of that charge failing, he considered no other charge in the impeachment amounted to treason. "I do not say," he added, "but the rest may represent him a man as worthy to die, and perhaps worthier, than many a traitor. I do not say, but they may justly direct us to enact that they shall be treason for the future; but God keep me from giving judgment of death on any man, and of ruin to his innocent posterity, upon a law made *à posteriori*."

Let the mark be set on the door where the plague is, and then let him that will enter, die.”\*

Whoever reads the evidence now, when the spirit of partisanship has ceased to have any influence upon the judgment, and when it is no longer smarting under the inflictions suggested by the despotism of which the Earl was the advocate, must coincide in opinion with his assailant, who thus declared that the ground of his opinion against the Earl had “vanished away.” Nor was that assailant alone in his retraction; for the most learned lawyer of his age, he who adopted for his motto, “Liberty concerning all things,” and whom all nations concur in honouring, withdrew also from being a manager of the prosecution, and voted against the Bill of Attainder. The name of Selden occurs in all the committees appointed to search for precedents of attainders, preparing articles of accusation, holding conferences with the Lords, and other preliminary arrangements. He was even one of the committee of free conference with the Peers after the Earl had given in his answers to the charges, but then, convinced probably that the proofs had failed, his connection with the impeachment seems to have terminated. Clarendon says, that Selden was “*designed* by the House of Commons to be one of Strafford’s accusers;” but Mr. Glyn, from the time just mentioned, occupied the station where Selden probably would have appeared.†

Selden had arrived at that sound conclusion even before he had heard the legal argument of Mr. Lane, and the admirable observations with which the noble prisoner concluded his defence; and he remained unchanged in

\* Speeches of this great Parliament, 218.

† Rushworth’s Trial of Strafford, 33—38.



opinion after listening to the replies of Glyn and Pym, and to the lengthy argument of Oliver St. John.

The address of Strafford was a master-piece of eloquence, in which, after annotating upon the evidence, and pointing out the danger of constructive treason, he concluded with this forcible appeal to the discretion and justice of his judges :—" May your lordships be pleased to have that regard to the Peerage of England as never to suffer yourselves to be put upon moot points, upon constructions of laws not clear, nor known. If there must be a trial of wits, I beseech your lordships that the subject may be something else than of your lives and your honours. The fear troubles me, that for my sins, not for my treasons, it may be my misfortune, that my precedent may bring that disadvantage upon the whole kingdom. My lords, I beseech you, do not through me wound the interests of the commonwealth. Do not put greater difficulty upon the Ministers of State, than that with cheerfulness they may serve the King and the State ; for, if you will examine them by every grain, or every little weight, the public affairs of the kingdom will be left waste, for no man will meddle with them that hath wisdom, and honour, and fortune to lose.

" My lords, I have now troubled your lordships much more than I should have done, were it not for the interest of those pledges which a saint in heaven left me. I would be loth, my lords"—This remembrance of the deceased mother of his children was too much even for his undaunted spirit ; tears came to his relief, but the sentence remained unfinished. After a brief pause he continued,—“ What I forfeit for myself is nothing,

but that my indiscretion should bring forfeitures upon them wounds me very deeply. My lords, be pleased to pardon my infirmity ; something more I should have said, but I shall not be able. And now, my lords, for myself, I thank God that I have been taught by his good blessing, that the afflictions of this present life are not to be compared with that eternal weight of glory that shall be revealed to us hereafter ; and so, my lords, even so, with all humility, and with all tranquillity of mind, I do submit myself clearly and freely to your judgments ; and whether that righteous judgment shall be to life or to death, 'Te Deum laudamus ; Te Deum confitemur.'" He paused, and raising his hands and eyes to heaven, added, before he sat down, "In te, Domine, confido : ne confundar in eternum." Thus, adds one of his friends, did this great man deliver his defence, and with a grace so inimitable and peculiar to himself as wrought, for the time, admiration and compassion even in his enemies : and pity it is that it cannot be found in the power of art to rescue from oblivion that part of eloquence which consists in action. Even Whitelocke records, that never any other man acted such a part, in such a theatre, with greater reason, judgment, and temper, or with a greater grace in all his words and gestures, than did this great and excellent person ; and he moved the hearts of all his auditors, some few excepted, to remorse and pity.\*

\* Nalson, II. 123 ; Whitelocke, 43, &c. Denham, probably a spectator of the trial, says—

"So did he move our passions, some were known  
To wish, for the defence, the crime their own.  
Now private pity strove with public hate,  
Reason with rage, and eloquence with fate."

Among the few thus excepted was the stoical Baillie ; for though he admits that of the Earl's "speech full two hours and one half long," the concluding half hour was pathetic "as ever comedian did upon the stage," and that "doubtless, if he had grace or civil goodness, he is a most elegant man," yet the old Scotch Principal descended to misinterpret and belie the dauntless victim before him. "One passage made the speech most spoken of ; his breaking off in weeping and silence, when he spoke of his first wife. Some took it for a true defect of memory ; others, and the most part, for a notable part of his rhetoric ; some, that true grief and remorse at that remembrance had stopped his mouth ; for, they say," (such is the usual prelude to a lie which the retailer disbelieves whilst he circulates), "they say, that his first lady, the Earl of Clare's sister, being with child, finding one of his whores' letters, brought it to him, and chiding him therefore, he struck her on the breast, whereof shortly she died."

Glyn and Pym wisely requested an adjournment for half an hour, before they entered upon their reply, for this delay would be of as much importance to them in calming the excited feelings of their auditors as in allowing them time to arrange their course of argument. That argument failed in establishing their point that any or all of the Earl's offences amounted to treason, and if they had succeeded in shaking the confidence of any one in the correctness of this conclusion, that confidence must have been re-established by the able argument of the Earl's leading counsel, Mr. Lane. He showed beyond all power of refutation, that acts of injustice, committed ignorantly or even maliciously, do not in any legal sense

amount to a subversion of the laws or to treason, otherwise probably every judge might be proved a traitor, for to err was an incident of man's nature. To Mr. Lane's argument and precedents the House of Commons vouchsafed no reply, pretending as an excuse for their inability to confute, that it was beneath their dignity to argue against a private lawyer.\*

It cannot be denied that Mr. Pym's speech was an able though too diffuse portrayal of the consequences arising from arbitrary government, nor that his arguments against excuses for evil, grounded on necessity and policy, are sufficiently cogent, and his peroration most bitter against his friend of former days. "Nothing can be more just," are his words, "than that he should perish by the justice of that law which he would have subverted; neither will this be a new way of blood, for there are marks enough whereby to trace this law to the very original of the kingdom; and if it hath not been put in execution, as he alledgeth, for 240 years, that is because that during that time a man hath not been bred bold enough to commit such crimes as these."

He would have proceeded in the same keen tone, pressing for the Earl's life, but that "to humble the man, God let his memory fail him: his papers he looked on," adds a friendly eye-witness, "but they could not help him," so he hurried to a close.†

Pym was too practised an orator to have been confused from mere failure of memory, and we may believe, therefore, that his self-command wavered as his eye met the indignant and reproachful glance of Strafford,‡ and that the remembrance of former friendship, and the very

\* Clarendon, I. 178.

† Baillie's Letters, I. 348.

‡ State Trials.



aspect of greatness struggling so magnanimously against adversity may have subdued, for the time, even "the gravity and animosity" of Pym.

These arguments occupied the whole daytime of the 13th of April, but the Commons had predetermined not to press for judgment upon the articles of impeachment, and had introduced, three days previously, the bill of attainder against the Earl, which has been mentioned already ; a harsh, but by no means an unusual course, being, as Blackstone well defines it, a new law, to all intents and purposes, made *pro re natâ*. This bill has been already noticed as having passed the House of Commons on the 21st of April, 204 votes being in its favour opposed by only fifty-nine, and it was immediately carried up to the House of Lords by Pym "with special recommendation for expedition in regard of the importance of the bill, and that the House was ready to justify its legality if required." The Lords did require this justification, and on the 29th, Oliver St. John was heard at their bar in its support.\* His speech, of three hours duration, has been ridiculed by some as replete with curious erudition, and some portions have been justly condemned as barbarous ; but as a whole, it was sound and convincing. He failed in showing that any of the articles amounted to treason, but he clearly established the legality of the bill of attainder, citing many

\* Rushworth, IV. 58. Baillie (I. 348) says that Lord Savile, "one of the stoutest lords in all England for the country and our cause at first, but since we made him a councillor, clearly the Court-way for Strafford and all his designs ; thought the receiving of the Bill into the House prejudicial to the privilege of the Peers." It resulted in a quarrel between him and the Earls of Essex and Stamford ; but no duel ensued. The introduction of the Bill was certainly declining to abide by the decision of the Peers as Judges.

precedents in its support, and concluding by observing—  
“ We receive, as just, the other laws and statutes made by our ancestors ; they are the rules we go by in other cases ; why should we differ from them in this alone ? ”

It is recorded that, during its delivery, the Earl by his gestures “ expressed greater eloquence than marked this prolix discourse,” but he was refused the liberty to reply. That refusal was unjust, for parties being heard in support of the bill, he also should have been heard in opposition, who was so fatally interested in its rejection.

It must for ever remain uncertain whether when St. John closed his address a majority of Peers were resolved in favour of the Earl’s death, for on the 1st of May, with the usual illfortune of the Stuarts, Charles precipitated the fate of the friend whom he so earnestly desired to save. On that day he came to the House of Peers, and having summoned the members of the Commons, thus addressed the assembled legislature :—

MY LORDS AND GENTLEMEN,

I HAD not any intention to speak of this business, which causes me to come here to-day, which is the impeachment of the Earl of Strafford, because I would do nothing that might hinder your occasions ; but now as it comes to pass, that of necessity I must have part in that judgment, I think it most necessary for me to declare my conscience therein. I am sure you all know that I have been present at the hearing of this great business, from one end to the other ; that which I have to declare unto you is shortly this, that, in my conscience, I cannot condemn him of high treason.

It is not fit for me to argue the business : I am sure

you will not expect it. A positive doctrine best becomes the mouth of a prince. Yet I must tell you three great truths ; which I am sure nobody can know so well as myself :—First, That I never had any intention of bringing over the Irish army into England, nor ever was advised by any body to do so. Secondly, There never was any debate before me, neither in public council nor at private committee, of the disloyalty and disaffection of my English subjects ; nor ever had I any suspicion of them. Thirdly, I was never counselled by any to alter the least of any of the laws of England, much less to alter all the laws. Nay, I must tell you this, I think nobody durst ever be so impudent as to move it to me ; for if they had, I should have put such a mark upon them, and made them such an example, that all posterity should know my intention by it ; for my intention was ever to govern according to law, and not otherwise.

I desire to be rightly understood : I told you, in my conscience, I cannot condemn him of high treason, yet I cannot say I can clear him of misdemeanor ; therefore, I hope that you may find a way for to satisfy justice and your own fears, and not to press upon my conscience.

My lords, I hope you know what a tender thing conscience is. Yet I must declare unto you, that to satisfy my people, I would do great matters ; but, in this of conscience, no fear, no respect whatsoever, shall ever make me go against it. Certainly I have not so ill-deserved of the Parliament at this time, that they should press me in this tender point ; and therefore I cannot expect that you will go about it.

Nay, I must confess, for matter of misdemeanor, I



am so clear in that, that though I will not chalk out the way, yet let me tell you, that I do think my Lord Strafford is not fit, hereafter, either to serve me or the commonwealth in any place of trust ; no, not so much as that of a constable. Therefore, I leave it to you, my lords, to find some such way as to bring me out of this great strait, and keep yourselves and the kingdom from such inconveniences. Certainly, he that in his conscience thinks him guilty of high treason, may condemn him of misdemeanor.\*

This speech was delivered at the suggestion of the Earl of Bristol and Lord Savile, who, if they had been Strafford's most subtle enemies could not have devised for him an act of greater disservice. Even in his last pathetic letter to his master, among other outpourings of the heart, he records his wish that his Majesty might have been pleased to spare "that declaration on Saturday last."† But the well-intentioned act was then irrevocable—the privileges of Parliament had been violated ; the King, to save the most arbitrary of ministers, had dared to disregard all Parliamentary rules, had endeavoured to prevent the Peers from sanctioning a Bill passed by the Commons ; and the unanswerable questions must have risen upon the minds even of Strafford's best

\* Journals of the House of Lords.

† Clarendon says that the King took this imprudent step by the advice of Lord Say, and despite a request from Strafford that he would not do that which would assuredly be to his prejudice.—*History of the Rebellion*, I. 201. The authority for the two other Peers being the advisers of this proceeding, is the Queen's Chaplain. See his letter, *Rushworth's Trial of Strafford*, 751. The Peers very justly objected, that "If his Majesty might take notice of what Bills were passing in either House, and declare his own opinion, it was to forejudge their counsels, and was the greatest obstruction of justice could be imagined."



friends among the Peers ; “ Why is this breach of our privileges ?—why endeavour to check the free exercise of our votes ?—why not wait to exercise his own prerogative and reject the Bill if we pass it ? ”

“ The Commons returned to their House in great malcontentment, and Mr. Pym, lest they should break out in some rash distemper, advised the House to adjourn till Monday, without speaking of any purposes. His counsel was followed.”\*

The intervening day unfortunately was the Sabbath, which, instead of being considered by Strafford's enemies a day of rest from the “ way of blood,” gave them an opportunity of rousing the people clamorously to demand the life of “ the great delinquent.” Even Whitelocke confesses that this was the case. “ This day, being Sunday,” he says, “ from some pulpits was preached *the necessity of justice upon some great delinquents now to be acted.*”† “ And the next day,”—this is his record of the consequence of these addresses, “ an armed rabble numbering 5 or 6000 assembled in Palace Yard, and took possession of the entrances to the House of Parliament, stopping every carriage, with hideous cries for *Justice and Execution.*” These words became the cry of the rioters, and were made a kind of test for every Peer

\* Baillie's Letters, I. 351.

† Whitelocke's Memorials, 43. The Court was occupied this day in celebrating the marriage of the King's eldest daughter, Princess Mary, to the Prince of Orange. “ The Prince of Wales and Duke of York led her to the chapel, convoyed with a number of ladies of her own age, of nine and ten years, all in cloth of silver. The Prince of Orange went in before, with the ambassadors, and his cousins, Tremouille and Nassau. The King gave him his bride. Good Bishop Wren made the marriage. At night, before all the Court, they went to bed, in the Queen's chamber. A little after the King and Queen had bidden the bridegroom good night, as their son, he, as it was appointed, arose and went to his bed in the King's chamber.”—*Baillie's Letters*, I. 351.

as he arrived. "The Lord Steward (Earl of Arundel) arriving, some of the most insolent stepped up, demanding of him "Justice and Execution," and adding "Justice we have already; we desire execution, and will have it." He replied that "They should have justice, if they would have patience;" but they rejoined, "No, we have had, already, too much patience: longer we will not stay, and before you part from us we will have a promise of execution." He told them he was going to the House for that purpose, and that he would endeavour to content them: "whereupon some of them cried out, 'We will take his word for once;' and so, with difficulty enough, he got to the House."\*

The Peers continued sitting until twelve o'clock, and then most of them returned from the House by water, but a few, among whom were the Earls of Holland and Bristol, undauntedly again entered their carriages. When the first named, a courtier and Lord Chamberlain, was recognised by the crowd, their cries were redoubled; but some running up to the coach of the other said—"For you, my Lord of Bristol, we know you are an apostate from the cause of Christ, and our mortal enemy. We do not crave justice, therefore, from you; but shall shortly crave justice on you and your false son, the Lord Digby." Some of them more violent even than the rest traitorously threatened, "If we have not Strafford's life, we will have the King's;" whilst others, little thinking they were preserving them for the respect of future ages, posted lists of those who had voted in the House of Commons against the passing of the Bill of Attainder, entitling each list "These are Straffordians,

\* Nalson, II. 188.

betrayers of their country," and adding as a commentary ;—"These and all other enemies of the commonwealth should perish with Strafford."\*

The House of Commons was not behind in promoting the popular agitation ; and even the House of Lords sustained them by joining in signing a protestation, afterwards circulated throughout England, with the significant intimation, that those who refused to subscribe it, would be noted as disaffected to the Parliament. The preamble of this protestation declares, as facts, such circumstances as it was known would kindle the popular fury—the increase of Popery, the dangerous practices against Protestantism, that "even during the sitting of Parliament, endeavours were being made to subvert the fundamental laws," with vague allusions to "wicked councils, practices, plots, and conspiracies ;" the sufferings of the people from illegal taxations ; jealousies fomented ; the Popish army in Ireland ; two other armies consuming the very bowels of the nation ;

\* Nalson, II. 188 ; Parl. Hist. IX. 288. The following are the names that were thus basely held up to public execration. It is true that fifty-nine really comprised the minority, but only fifty-six were thus posted ; whilst Nalson and Rushworth enumerate two or three less ; of the fifty-six, one or more were erroneously inserted, as in the case of Sir John Strangeways, who was not in London :—Lord Digby, Lord Compton, Lord Buckhurst, Sir Thomas Fanshawe, Sir Robert Hatton, Sir Edward Alford, Sir Nicholas Slanning, Sir Henry Slingsby, Sir William Portman, Sir Thomas Danby, Sir George Wentworth, Sir Frederick Cornwallis, Sir William Carnaby, Sir Richard Winn, Sir Gervase Clifton, Sir W. Widdrington, Sir Peter Wentworth, Sir William Pennyman, Sir John Strangeways, Sir Patricius Curwen, Sir Richard Lee, Mr. Gervase Holles, Mr. Sidney Godolphin, Mr. Cook, Mr. Coventry, Mr. Kirton, Sergeant Hyde, Mr. Taylor, Mr. W. Weston, Mr. Griffith, Mr. Seawen, Mr. Bridgeman, Mr. Fettyplace, Dr. Turner, Mr. Pollard, Captain Price, Mr. Trevanion, Mr. Jean, Mr. Edgecumbe, Mr. Ben Weston, Mr. Selden, Mr. Alford, Mr. Lloyd, Mr. Herbert, Captain Digby, Captain Charles, Dr. Parry, Mr. R. Arundel, Mr. Newport, Mr. Holborn, Mr. Nowel, Mr. Chicheley, Mr. Mallory, Mr. Porter, Mr. White, Mr. Warwick.



and an endeavour to bring one army against the Parliament. To thwart these designs, the protestation pledged the subscriber to defend "the doctrine of the Church of England," the King, the power and privilege of Parliament, and the rights and liberties of the subject. "The bishops have put their hands to it," says Baillie, "and we like it all the worse," because it implied, that by maintaining the doctrine of the Church of England, they understood that Episcopacy was to be sustained. It is now quite clear that many of the particulars in that preamble were based on truth. There is no doubt, from existing documents, that the Court of France was pressed to make an armed demonstration in favour of the royal prerogative. "The good King and Queen," said the confessor of the latter, writing to Mr. Montague, at Paris, "are left very naked; the Puritans, if they durst, would pull the good Queen in pieces. Can the good King of France suffer a daughter of France, his sister, and her children, to be thus affronted? Can the wise Cardinal (Mazarine) endure England and Scotland to unite, and not be able to discern, in the end, it is like they will turn head against France? A good stirring ambassador might do good here."\* It is not probable that the Court of France would have been hurried into an invasion of England to save the life of a peer, but it is evident that hope even lingered in that direction.

\* This letter was written by Father Phillips, May 6, 1641, and was intercepted by the Parliament. Mr. Montague is described by Clarendon as "much trusted by both their Majesties, and was thought to have a very good place in the favour of the Queen Regent (of France), and in the opinion of the Cardinal." Mr. Pym, at a conference with the House of Lords, on the 4th of May, told them that "the French were drawing down their army in all haste to the sea-side."



More active measures were taken amongst Strafford's own countrymen for the same purpose. The army at York, we have seen, in a letter already quoted, were daily becoming more friendly to him, and as clamorous for pay, as the country people (on whom the soldiers were billeted,) became more distressed, and more urgent for remuneration. These, and other matters of public interest, are so fully commented upon in the letters which follow, that the series is inserted without interruption, though by so doing we somewhat outrun the current of events.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD,  
THE LORD FAIRFAX, BARON OF CAMERON, AT HIS  
LODGINGS, AT THE SARACEN'S HEAD, IN KING STREET,  
WESTMINSTER.

MOST NOBLE LORD,

THOUGH I suppose my lines unnecessary, if not troublesome to your lordship, that hath all actions represented by clearer intelligences; yet my affection, which is in continual motion towards your lordship, must still assume some pretence to present me to your lordship, seeing I cannot yet get out of this troublesome country to give my personal attendance, which I have much desired. By the last post I intended to have writ, but hearing of a letter from your lordship, which Mr. Lawson had sent home to my house, thinking I had been gone home, I delayed till Mr. Mauleverer\* went, who now returns to the Parliament.

\* Probably this was Sir Thomas Mauleverer, member for Boroughbridge. He was one of the High Court of Justice, and signed the death-warrant of Charles the First.

Since your lordship's letter, which Mr. Lawson brought down in March, there hath been a muster taken of this army, and all the companies viewed, both by the Muster-master General or his deputies, and by some select gentlemen of the country. I cannot well judge why the gentlemen were joined in that service, unless it were to discern and make a certain computation what money was due to the country for billet, and how much to every village. This, if it were intended, I fear is not so exactly certified, but that many particular persons, and some whole villages will be losers, either through ignorance or neglect of constables ; or because that many soldiers who, at the time of that muster, were either dead or run away, were, before their death or running away, kept for many weeks by their hosts, who are not yet paid, nor like to be hereafter, if it have not been very cautiously certified. For the number and strength of the army, it is evident to your lordship, the certificates being all returned to you by those that mustered them. Yet your lordship, who hath seen service abroad, could not but observe the ways by which commanders use to help themselves upon the like occasions ; and your lordship will easily believe that the like acts have been used here, and indeed it cannot be prevented, if they list to attempt them, without insufferable distaste be given to the commanders.

Upon that muster they had a month's pay ; and it seems some information is given to the Lord General (Earl of Newcastle) that the country billetters had not their due paid out of it by the captains, which may in some particular places happen, because that month's pay was for the month ending 8th January, and since that

time many companies have been necessitated to remove into other quarters ; and now the hosts where they are billeted expect payment out of this pay, and complain if they have none : and on the other side, the old hosts that kept them in December, if they do not rightly understand the case, and send for the month's billet, may peradventure be neglected by some particular captains, and so occasion just complaint. But I perceive the country think themselves generally wronged in this, that the captains do pay them only after the rate of two shillings and sixpence a week for each soldier's billet, whereas three shillings and sixpence was promised and expected ; and this will also cause a just and great complaint, for in the whole the difference will amount to a very great sum of money.

Since that muster taken, they have been all fearful of disbanding without pay ; and that fear begot the letter sent us by Captain Chidley ; and greater distempers were likely to arise, insomuch that many men feared they would have given their men free quarter in the country, and there were rumours spread abroad that the Scots intended to possess themselves of Yorkshire, and some probable causes of the report were dispersed with it, so that many of the soldiers judged it a providence to seize upon York and Hull, to keep out the Scots. These clouds swelled bigger by some inquiry made among the captains, to understand how they stood affected in these dangerous times, which was at first supposed to be from the King, but in the end discovered to be upon some private man's directions, and peradventure out of a needless curiosity. But these grounds occasioned a general consultation of the

commanders at York, this Assize-week, where most part of them were; and what resolutions it might have brought out is not known to me, for very happily they met with advertisement that the Parliament hath provided 120,000*l.*, which is speedily to come down to pay the commanders in full, and the surplus of pay due to the common soldiers, besides the billet due to the country, which I perceive cannot yet be paid. This care and providence of the Parliament hath settled those fluent humours of the soldiery, and dispersed those mists which the country feared would have fallen upon them in bitter showers; and the expectation of the Portugal voyage doth not a little conduce to the quieting of many of their spirits.

Now, my lord, if the army be disbanded and the billet-money left unpaid, there is no question but many men will be fearful of losing it, yet to continue them here without pay till subsidies can be raised to pay the billet, will in the mean time double the charge, and leave the country still in the same state it is, that is, unpaid; and, what is worse, constrain them to bear the army still upon trust, which truly they cannot without utter ruin, for the face of the war which hath but looked on us, doth already unsettle the industry of the country; and the continuance of it in this manner with an unpaid army, which is an enemy to all countries, will quite dishearten the laborious subject, and invite the looser sort to follow the ways that will protect them in spoil. And therefore the continuance of any companies at all must be avoided, if the felicity of the subjects, and the wealth of the land, be intended; for certainly, this kingdom is yet of such a frame and



constitution, as cannot admit of armies nor war within it, without hazard of destruction. And the people here do generally of the two evils choose the less ; and so they will all declare, if it be put to them, that it is to have both the armies (English and Scottish) disbanded, and stay for the billet till the Parliament can provide for them. Yet certainly it will be a great hindrance to many families (I mean the forbearance of the billet), for when the soldiers came first, many poor people and alehouse keepers of small stock were willing to entertain them, in hope of benefit ; and now they have run out their own stock, but are deeply engaged to others, both for corn, malt, flesh, and other articles. In that regard it will not only be needful that a proclamation come down to assure the people of the time and manner of their payment, but also that some monies be taken up, either of the rich trading towns in this county and other parts of England or else at London, and with it to discharge one-half of the billet to enable the poorer sort this summer in their vocations, and encourage all men else with hopes of true payment of the remainder at Michaelmas. And then the number of subsidies, which I perceive must be eight at least, will at first seem a terrible charge to the country, but of them there is an unavoidable necessity, to which all men must submit, and this country\* must bear its share, unless your lordship, with the rest of your assistants, can make the House sensible of the great loss generally sustained by the insolvencies of the army, and in that regard procure the country to be wholly exempted from paying

\* In many other places Mr. Stockdale uses the word "country" instead of "county," which is here intended.

the four last subsidies. Or, if that be impossible to be obtained, then to get the business so ordered, that before any subsidies be paid here, the country may receive the billet-money the better to enable them to pay; for the billet is indeed for the most part due to the subsidy-men who are forced to credit the poor hosts, and they to credit the soldier.

And though the Ship-money be condemned by both Houses, and entry peradventure made of their judgment, repealing their former judgment against the subject in Mr. Hampden's case; yet I conceive it would give great satisfaction to the common people, and all men else in general, and be an encouragement to them in paying their subsidies, if an act declaratory were passed in the Parliament, and published in print; for the subjects declare against that and all other the like charges hereafter.

And I assure your lordship, it will be no small encouragement to the subject, to see justice done upon that great engine the Lord Strafford, who hath in a manner battered down their laws and liberties, and levelled them with the most servile nations. His friends are all hopeful and almost confident of his deliverance, yet methinks it is impossible that good language and elocution can wipe off the guilt of his crimes. Rich apparel makes not beauty—it only dazzles weak sights. Injustice and corruption have been punished in this land with death, and certainly oppression and tyranny in such a high strain as they are charged on him, are offences of a transcendant nature, and deserve punishment (if any there were) greater than death, and confiscation of estate. The country generally, and

especially those well affected in religion, are sensible that to bring him to trial for his offences hath already cost them 600,000*l*.\* and now (your lordship will conceive) if he should by any artifice escape a deserved censure of the crimes proved against him, the people will be extremely discontent and murmur against it; and, besides, it is hoped that the confiscation of his estate and others that are delinquents, will either pay the Scots or stop some other gap made by these turbulent times.

Upon Wednesday the 21st of April, we have appointed to meet, and assess the subsidies here in Claro, of which I shall give your lordship further account by the next. In the mean time I hope your lordship will pardon these tedious lines; and I shall wish much increase of honour and all happiness to your lordship, and remain,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

10th April, 1641.

TO THE RIGHT HONOURABLE MY ESPECIAL GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, AT HIS LODGING IN  
KING STREET, AT THE SIGN OF THE SARACEN'S HEAD,  
WESTMINSTER.

MOST NOBLE LORD,

YOUR lordship's letter of the 4th of May came to me in Lancashire, where I then was about the bringing home of my wife and children, which I have done, in hope that the army would have been disbanded at the end of the month which concluded 16th May: and

\* The expense of maintaining the two armies.

then leaving my family at home, my resolution was presently to have taken my journey to London. But now beyond our expectations, we find the army continued here for a new month ; and the soldiery, so very impetuous, as my wife will by no means consent to have me leave her alone amongst them. No argument can remove her fears, so that I am now hopeless of seeing your lordship at London (which I much desire) until the army remove.

I received with much joy the protestation of the House sent to me by your lordship, and do most heartily join myself in it, as a matter mainly conducing to the preservation of our religion and state. I was always of opinion, and so I expressed myself to Mr. Bryan Stapleton and some others, well affected, before the Parliament begun, that such an association must be made, both to prevent the breach of the Parliament, and also to distinguish the subjects' affections ; and now I am full of hope that we shall enjoy our religion and laws inviolate, seeing we resolve not to suffer them to be altered. I am persuaded the whole kingdom doth willingly embrace the protestation, the Catholic party only excepted, and I think also it will decline the number of them ; for in Lancashire I was told by some of the ministry there, that divers recusants of mean estate did already resort to the church, who had absented themselves for many years. I could not impart the protestation to Sir Henry Goodrick till my return from Lancashire, but I have now been with him ; and he tells me he likes it well, and will join in it. He showed me that he had received it printed by some directions from your lordship, for upon the paper his



name was written with your lordship's character.\* The exceptions against it are of no moment ; and if some order were sent to have it publicly tendered to all manner of people, in churches or some such other assemblies, it would be generally embraced ; and a list of the refusers' names should also be made up at every meeting, that so the strength of the adverse faction might appear.

Now the Earl of Strafford is removed out of the way, I suppose the other business of the kingdom will receive freer passage and quicker dispatch ; and amongst the rest, that great question about ecclesiastical discipline and government of the Church by bishops, &c. I hear the House inclines to remove, or at least to reform them ; and the King (as it is said) is nice in accepting their temporalities ; and therefore I think it would be an act worthy of that great council, to redeem the tithes from the laymen that hold impropriations, and to give them those lands of bishops, deans, and chapters, in lieu of them, and bestow the tithes upon the Church again. I am persuaded those lands would be sufficient to repurchase all the tithes, and then the ministry would be well provided of maintenance, if an equal division be contrived of the parsonages, because they differ much in value.

Upon Monday last my wife and I were invited to dine at Harry Benson's, and we went, and there met Sir Francis Trapps, Mr. Robert Trapps and his wife, Mr. John Plumpton and his wife, and a captain of his regiment, and Mr. William Hill, that hath relation of service

\* The Goodricks of Ribstone Hall were great sufferers for their loyalty. The Sir Henry here mentioned died in the July following. His son was afterwards Lieutenant General of Ordnance, and Envoy from Charles the Second to the Spanish Court.

to your lordship. After dinner I perceived Harry Benson having got Mr. Hill apart, begun to bluster out that the town of Knaresborough were about to petition the Parliament against your lordship, touching some monies raised for the trained soldiers of that town, for which a lay (ballot) was cast, and your lordship signed and subscribed some directions to the lay-bill. I coming accidentally to the discourse, wished Mr. Hill (who seemed moved with it) not to trouble himself, for I conceived it a matter of no importance ; and that if Mr. Benson should attempt anything in it, I would procure more hands of the town to subscribe a petition in contradiction, (declaring that the town was not grieved with any such matter, nor did not complain of it,) than he should procure to subscribe his request, with which Mr. Benson was something moved, but passed it over in a jesting fashion. What he shall attempt I will counterwork, if I hear of it any more. But however, though he never move further in it, I apprehend the proposing such matter to proceed from an ancient cankered ill affection in him to your lordship.\* The next week we meet about the

\* Henry Benson did not profit by his enmity to Lord Fairfax ; for he was expelled from the House by a vote, on the 2nd of the November following, and declared unworthy and incapable of ever sitting in Parliament, for selling Protections to men who were not his household servants. The rapid changes at this time in the representation of Knaresborough are rather particular. Mr. Benson's coadjutor was Sir Henry Slingsby, Bart., who, in the words of his memorialist, "after fourteen weeks' attendance in the stormy atmosphere of Parliament, returned to the superintendence of his buildings and other domestic avocations," and does not appear to have taken his seat again, for he was voted, September 6, 1642, unfit for Parliament, because he neglected its duties, and had signed an offensive petition. In his place, Mr. Stockdale, the writer of the above letter, seems to have been elected. The successor of Mr. Benson was William Deerlove, Esq., but his election was declared void, and Sir William Constable, Bart., was returned in his place.

taxing of the two later subsidies ; the other two, for the most part, are collected in this wapentake. The collector told me the last week, that he had then above 400*l*. ready to pay to Mr. Metcalfe of Leeds, by whom he returns his moneys to London ; the rest he may peradventure be longer in gathering, because the most solvent men have paid already, and the remainder is either due from ill paymasters, or absentees, who will pay much in certificates. For the advancing of our subsidies here I hold it no charge at all to the country, being done with equality amongst ourselves, and all other parts of the kingdom proportionably advanced ; for as the subsidy is greater, so it will come seldomer, and fewer subsidies will serve to supply the occasions of the state ; but if we should here begin to advance before the kingdom do the like in every place, we should make ourselves to bear their burthen : and howsoever, these parts of the country must now be favoured, for the burthen they sustain at this instant is grievous and chargeable, which I know your lordship and your worthy assistants do well consider, and will get redressed in due season. I shall here conclude these lines, wishing unto your lordship much increase of honour and happiness, and am

Your lordship's

Most faithfully devoted servant,

THOMAS STOCKDALE.

*27th May, 1641.*

TO THE RIGHT HONOURABLE MY ESPECIAL GOOD LORD, THE  
LORD FAIRFAX.

MOST NOBLE LORD,

I NEGLECTED writing to your lordship the last week, upon a report of your lordship's coming home, which was spread in the country ; but sending on Friday last to enquire of the certainty from your servant, Mr. Lawson, my man brought me your lordship's of the 8th of this month, which, though it robs me of my hopes of seeing your lordship, yet it enricheth me with the assurance of your lordship's welfare, which to us, your servants in these parts, is a jewel of no small price, and dearly affected.

Upon Monday, the 2nd of June, we taxed to two last of four subsidies in Claro ; and yesterday we delivered the estreat to Francis Day and William Hardisty, two of the forest, whom we have made head collectors jointly. Mr. Ingleby took upon him to make up the books for these two subsidies, and by his account, they amount to 482*l.* 9*s.* 2*d.* The two former subsidies, of which Sir Henry Goodrick made up the books, did amount, by his account, to 485*l.* 4*s.* So that your lordship will perceive they do not amount to so much as heretofore hath been raised in Claro ; yet, I see it is easy to raise them to the ancient height, when the soldiers shall be taken off us, and the rest of the kingdom shall consent to raise their shares generally to the like proportion. Upon Monday last, being the 14th of June, I received from Mr. Ingleby the order from the Parliament, and the letter from your lordship and



Mr. Bellasis,\* concerning the soldiers' billet due to the country. They had till that time wandered in the south parts of the West Riding, and nothing done in them that I could perceive ; for they came to me without any direction or appointment for effecting the service. So I sent them immediately to Mr. Marwood, with whom they had not been till then ; and I writ to him, desiring a speedy meeting to order that service ; but he was not to be found, so my man left them with Mrs. Marwood, and I never heard from him until yesterday. We met, and Mr. Ingleby also, and made warrants to the head constables to cause the petty constables, with assistance of some of the ablest inhabitants in every constabulary, to make up a true certificate of the names or numbers of officers and soldiers, and of what regiment they were, that have been billeted with any of the inhabitants of their constabularies, respectively, the year last past ; and what is due and unpaid for their diet at that day they make certificate, according to the agreement or promise of the captains or soldiers when they were first received by the country ; and to bring them us at Burrowbridge, on Monday next. For I could not persuade Mr. Marwood to meet at Knaresborough, because he hath business into the North which drew him that way ; and I thought it convenient to have the assistance of a Justice of Peace in it ; and there is none I could rely on but himself. We rather fell upon this course, not joining with the commanders, because I perceive the captains are in every place making up the

\* Henry Bellasis, Esq., was returned with Lord Fairfax, to represent the county of York. He was disabled from sitting in Parliament, September 6, 1642, —having joined the Royalists.

billets, and call both the hosts and soldiers to them, but do not call us to join or assist in the service, although the order in Parliament imports that they ought to have joined with us in it ; so they declining us, we think it duty both to the House of Parliament and our country, to endeavour our neighbour's indemnity. We long to see the armies speedily disbanded, to prevent mutinies and other ill consequences of an idle, undisciplined, and unpaid army ; for I know your lordship hears how they have murdered Captain Wythers at Hull, and taken the block-houses to secure themselves, till they constrain a pardon for their barbarous fact ; and all parties of the country have the same occasion to fear the like mischiefs that hath befallen Hull. We are generally most confident of the care of the House to ease the country, though we know you meet with impediments in so great and important a work, both from the right hand and from the left ; but the delay begets panic fears in those which have no other direction but some rumour to guide their opinions ; so that many say we shall not be eased of the army this summer.

Our Parliament man of Knaresborough (Mr. Benson), hath been here above eight weeks ; it seems there is no great want of his assistance in the House. The last week I met him, and asked him what he had done in the petition for the town about their military charges. He told me that the town let the matter rest ; and that he was the only man that dissuaded them from proceeding in it ; so I conceive he finds it will amount to nothing, and therefore waives the pursuit of it. I have got copies of some letters of his which I intend to show your lordship, as soon as I can have the happiness to see

you, either there or here ; that if they will conduce to any good purpose, there may be use made of them, though truly, in my own opinion, I find not much exception that can be taken at them.

By the next post, or sooner, if we can get fit conveyance, your lordship shall receive the certificates touching the billet-money in this wapentake. In the mean time, I present my humble thanks for your lordship's many and noble respects bestowed on me, that am, perpetually,

Your lordship's

Most faithfully devoted servant,

THOS. STOCKDALE.

*June 18, 1641.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD  
THE LORD FAIRFAX.

MOST NOBLE LORD,

THE last week, by the post, I acquainted your lordship with the progress of the order from the Parliament for certifying the billet-money ; and upon Monday last we met at Burrowbridge, and there the country brought us in certificates, which were so lame and imperfect, as are unfit to be returned to the House. In some of them neither captains, colonel, nor number of soldiers mentioned, nor what time the billet-money was due for ; and the constables that brought them were in many places, so ignorant, as they could not instruct us in such things as we demanded and thought necessary for the service, so that I think we shall be constrained either to call them again, or else advise with the commanders to rectify the errors. To that purpose

Mr. Ingleby and myself went to Ripon yesterday, but missing of Sir Jacob Ashley,\* we writ to him, to understand if any direction were come to supersede the former, whereby the commanders were appointed with our assistance to make certificates of the billet-money due to the country ; or if he thought it fit, to give them directions to that purpose. To which I even now received his own answer, that he and Sir John Conyers, and the paymaster, have already sent letters to the gentlemen of the country, and published orders, which he supposed we have seen, (though indeed I never saw them,) and therefore, he needs give no new order in that business.

I perceive the fear, that this way should be intended in nature of a private muster to discover the strength and number of each company, hath caused some opposition in returning the due numbers of soldiers in some places : and for the rates of diet, I find that the country generally do not exceed the rate of 2*s.* 6*d.* the week, unless it be in very few towns, and in places where captains put soldiers to be billeted by such persons as were not willing to provide them diet ; and there the party, by the captain's order, pay 3*s.* 6*d.* a week to the soldier in money, which, in my opinion, ought to be repaid the full sum, though it be something opposed in Knaresborough by the captain and soldiers. What is due for drink or such like voluntary credit, we do not intend to certify, unless the host and

\* This officer had then the command of the English army, and was devoted to the King. He was a thorough soldier, had served in the Netherlands and Sweden, and remained firm in his allegiance under every reverse. He was created Baron Reading by Charles. He died in 1651.



soldier both agree to it. And what is due by the captains and officers, unless it be in some few places, we do not certify, because it is opposed by the captains, and in particular of that kind, one Captain Crofts of the Lord Newport's regiment came to us at Burrow-bridge, and there did so threaten them of Stavely about that particular, as they durst neither give us certificate of that, nor of any other demands ; and we that sat to receive the certificates did not escape his menacing language. And Captain Kirton, another of my Lord Newport's regiment, in a menacing manner told them of Usborne, that demanded allowances for necessities and billet taken by himself and his officers, that if he did not restrain his company, they would come and pull down the town.

And seeing the exact certificate cannot yet be made up, I have extracted a brief of all the billet-money, which I here enclosed send, and I hope it will serve in some reasonable manner to give satisfaction to your lordship and Mr. Bellasis, and any other whom you shall think necessary to make it known unto, for the good of the country. For I suppose some direction must be given to make stay of so much out of each commander's pay as is due to the country for them ; wherein this abstract will be a reasonable good direction till the larger certificate be made up, which shall be as speedily as we can. And in the meantime, I make tender of my observances to your lordship, and remain,

Your lordship's  
Most faithfully devoted servant,

THOMAS STOCKDALE.

25th June, 1641.

Before I sealed up this letter I received your lordship's of the 22nd of June, and am not a little afflicted to hear of your lordship's indisposition, in that which I pray heartily may be speedily restored. I could wish your lordship the benefit of the fresh air and recreations of the country, if the presence of the army here did not occasion so many distempers, as it would allow your lordship little quiet. But yet I think it would much conduce to your health, if your lordship should retire to Windsor or Hartford for a while, until the malady were settled and the humour abated which now afflicts you. The close air in London, and your lordship's sedentary course in Parliament, are both of them enemies of your health, and must for a while be avoided.

## CHAPTER IV.

Goring's Plot—The King tampers with Hyde—Mr. Percy implicated—Efforts to save Strafford—Attempt to effect his escape—Peers linger over the Bill of Attainder—It is passed—The King's consultations with the Bishops and others—Dr. Juxon's faithful advice—Strafford's Letter to the King—The Queen presses for his execution—Charles gives his assent—Consequent resignation of his Councillors—The People surprised at the consent—The King's extreme sorrow—The consent announced to the Parliament—Copy of the Bill of Attainder—The King's weak attempts to save Strafford—Consults Denzil Holles—Writes to the Peers—Their answer unfavourable—The King's consent communicated to Strafford—His fearless preparation for death—His farewell Letters to his Secretary, and Sir G. Ratcliff—His Letter of forgiveness to his Judges—His last Letter to his Son—Archbishop Usher attends him—His anxiety for his friends—Wishes to have a parting interview with Laud—The morning of his Execution—Progress to the Scaffold—The closing scene—His Character and Habits.

THE "inquiries made among the captains to understand how they stood affected," noticed in the last Chapter, though made through private channels, had their origin from the Court, and probably were connected with that negotiation, or conspiracy, which had for its object Strafford's rescue. This plot, usually known as Lord Goring's, because he was the chief evidence, so implicated many of the royal household, that both Houses united in addressing the King and requesting his command that none so employed should leave this country "without leave from his Majesty, and with the humble advice of Parliament, until the

examinations were perfected." The King consented to this request ; and if no other proof of guilt existed, it is enough to justify grave suspicion, that Mr. Henry Percy, Mr. Henry Jermyn, Sir John Suckling, Mr. William Davenant, Captain Palmer, Sir Edward Wardour, and Captain Billingsley, immediately absconded.

Mr. Percy, brother to the Earl of Northumberland, in this as in many other plots and efforts for the preservation of Strafford, was the primary instigator. He began by winning an easy conversion in Mr. Hyde, the future Lord Clarendon, who tells us that "whilst things were thus depending, one morning, when there was a conference with the Lords, and he was walking in the House of Commons during its temporary adjournment, Mr. Percy came to him with a message that the King wished to speak with him, and would have him that afternoon to come to him." After some coquetting, Mr. Hyde promised to be at the palace at the hour appointed, and had a private interview with Charles. It could not be expected that Mr. Hyde should have left a record of all that passed, but he has told us enough to convince us that he obtained his price. The King thanked him for his past services, "discoursed of the passion of the House, and of the bill then brought in against Episcopacy, asking him 'whether he thought they would be able to carry it?' to which Hyde answered, 'he believed they could not; at least that it would be very long first.' 'Nay,' replied the King; 'if you'll look to it, that they do not carry it before I go to Scotland, when the armies shall be disbanded, I will undertake for the Church after that time.' 'Well then,' said Hyde, 'by the grace of God, it will not be in much danger,' and so



they parted, the one a proselyte to the Court, and the other ‘very gracious.’” \*

\* Clarendon’s Autobiography, 42. Mr. Hyde was speedily called upon to advocate the Court’s wishes ; for he tells us that, “In the afternoon of the day when the Conference had been in the Painted Chamber upon the Lord President’s Court at York, (April 26), going to a place called *Pickadilly*, (which was a fair house for entertainment and gaming, with handsome gravel walks with shade, and where were an upper and lower bowling-green, whither very many of the nobility and gentry of the best quality resorted, both for exercise and conversation,) as soon as ever he came into the ground, the Earl of Bedford came to him, and after some short compliments upon what had passed in the morning, told him ‘he was glad he was come thither, for there was a friend of his in the lower ground, who needed his counsel.’ He then lamented ‘the misery the kingdom was like to fall into, by their own violence and want of temper, in the prosecution of their own happiness.’ He said, ‘This business concerning the Earl of Strafford was a rock upon which we should all split, and that the passion of the Parliament would destroy the kingdom : that the King was ready to do all that they could desire, if the life of the Earl of Strafford might be spared : that his Majesty was satisfied that he had proceeded with more passion in many things than he ought to have done, by which he had rendered himself useless to his service for the future ; and therefore he was well content that he might be made incapable of any employment for the time to come, and that he should be banished, or imprisoned for life, as they should choose ; and that how difficult a matter soever he found this to be, he should not despair of it, if he could persuade the Earl of Essex to comply ; but that he found him so obstinate, that he could not in the least degree prevail with him. That he had left his brother, the Earl of Hertford, (who was that day made a Marquis) in the lower ground, walking with him, who he knew would do all he could ; and he desired Mr. Hyde to walk down into that place, and take his turn to persuade the Earl of Essex to what was reasonable, which he was very willing to do.’

“He found the Marquis and the Earl walking there together, and no other persons with them ; and as soon as they saw him, they both came to him ; and the Marquis, after a short salutation, departed, and left the other two together, which he did purposely. The Earl began merrily, in telling him, ‘that he had that morning performed a service which he knew he did not intend to do—that by what he had said against the Court of York, he had revived their indignation against the Earl of Strafford, so that he now hoped they should proceed in their Bill against him with vigour, (whereas they had slept so long upon it), which he said was the effect, of which he was sure, he had no mind to be the cause.’ Mr. Hyde confessed, ‘he had indeed no such purpose, and hoped that somewhat he had said might put other thoughts into them, to proceed in another manner upon his crimes : that he knew well that the cause of their having slept so long upon the Bill was their disagreement upon

This negotiation concluded, Mr. Percy immediately after appears prominently in the Goring plot, and of this we have his own narrative in the form of a letter to his brother, which Clarendon says was thus obtained. Mr. Percy, instead of leaving England immediately upon the discovery of the plot, lingered at a small port on the coast of Sussex, near a house belonging to his brother, and was attacked and severely wounded by the country people when he endeavoured to escape. His life was

the point of Treason, which, the longer they thought of would administer the more difficulties. But if they declined that, they should all agree that there were crimes and misdemeanors evidently enough proved, to deserve so severe a censure as would absolutely take away all power from the Earl of Strafford that might prove dangerous to the kingdom, or mischievous to any particular person to whom he was not a friend.'

"He shook his head and answered, 'Stone-dead hath no fellow; that if he were judged guilty in a *premunire*, according to the precedents cited by him, or fined in any other way, and sentenced to be imprisoned during his life, the King would presently grant him his pardon and his estate, release all fines, and would likewise give him his liberty as soon as he had a mind to receive his service, which would be as soon as the Parliament should be ended.' And when Mr. Hyde was ready to reply to him, the Earl told him familiarly 'that he had been tired that afternoon upon that argument, and therefore desired him to continue the discourse no longer then, assuring him he would be ready to confer with him upon it at any other time.'

"Shortly after, Mr. Hyde took another opportunity to speak freely with him again concerning it, but found him upon his guard, and though he heard all the other would say, with great patience, yet he did not at all enlarge in his answers, but seemed fixed in his resolutions; and when he was pressed 'how unjustifiable a thing it was for any man to do anything which his conscience informed him was sinful; that he knew him so well, that if he were not satisfied in his own conscience of the guilt of the Earl of Strafford, the King could never be able to oblige him to give his vote for that Bill, and therefore he wondered how he could urge the King to do an act which he declared to be so much against his conscience, that he neither could nor would ever give his Royal assent to that Bill;' the Earl answered more at large, and with some commotion, (as if he were in truth possessed with that opinion himself,) 'that the King was obliged in conscience to conform himself and his own understanding to the advice and conscience of his Parliament,' which was a doctrine newly resolved by their divines, and of great use to them for the pursuing their future counsels."

saved with difficulty, and all the ports being narrowly watched, he was conveyed back to London, and found a refuge in Northumberland House. "The Earl being in great trouble how to send him away beyond the seas after his wound was cured, advised with a friend then in power, and who innocently enough brought Mr. Pym into the council, who over-witted them both, by frankly consenting that Mr. Percy should escape into France, upon condition that the Earl first drew from him such a letter as might by the party be applied as evidence of the reality of the plot."\* Clarendon adds, that this caused a lasting quarrel between the brothers, but it is difficult to believe that Mr. Percy would have written such a detail, which he must have often repeated verbally, if he did not know that he was to purchase safety by this treachery to his friends.

In this letter Mr. Percy narrates that he began plotting with Wilmot, Ashburnham, Pollard, and O'Neil, the three first members of the House of Commons, all officers of the army, and discontented that certain monies raised for their troops should have been diverted to pay the Scotch. The measures they had in view were to sustain Episcopacy, retain the Irish army until that of Scotland was disbanded, and to settle liberally his Majesty's revenue. "This being all imparted to the King by me," says Mr. Percy, "I perceived he had been treated with by others concerning some things of our army; which agreed not with what was purposed by me, but inclined a way more sharp and high, not having limits either of honour or law. I told the King he might be pleased to consider with

\* Clarendon's History of the Rebellion, I. 212.



himself which way it was fit for him to hearken unto ; for us, we were resolved not to depart from our grounds : we should not be displeased whosoever they were ; but the particular of the designs, or the persons we desired not to know, though it was no hard matter to guess at them. In the end, I believe the danger of the one, the *justice* of the other, made the King tell me he would leave all thoughts of other propositions, but *ours*, as things not practicable ; but desired, notwithstanding, that Goring and Jermyn, who were acquainted with the other proceedings, should be admitted amongst us. I told him I thought the other gentry would never consent to it, but I would propose it ; which I did, and we were all much against it. But the King did press it so much, as at the last it was consented unto, and Goring and Jermyn came to my chamber. There I was appointed to tell them, after they had sworn secrecy, what we had proposed, which I did.

“But before I go into the debate of the way, I must tell you, Jermyn and Goring were very earnest Suckling should be admitted ; which we did all decline, and I was desired by all our men to be resolute in it, which I was, and gave many reasons. Whereupon Mr. Goring made answer, he was engaged with Mr. Suckling for his being employed in the army ; but for his meeting with us, they were contented to pass it by. Then we took up again the ways which were proposed ; which took great debate, and *theirs* differed from *ours* in violence and height ; which we all protested against, and parted, disagreeing totally, yet remitted it to be spoken of by me and Jermyn to the King ; which we both did ; and the King, constant to his former



resolutions, told him these ways were all vain and foolish, and he would think of them no more. I omit one thing of Mr. Goring : he desired to know how the chief commanders were to be disposed of ; for if he had not a condition worthy of him, he would not go along with us. We made answer, that nobody thought of that : we intended, if we were sent down, to go all in the same capacity we were in. He did not like that by any means, and by that did work so with Mr. Chidley, that there was a letter sent by some of the commanders to make him Lieutenant General ; and when he had ordered this at London, and Mr. Chidley had his instructions, then did he go to Portsmouth, pretending to be absent when this was working. We all desired my Lords of Essex and Holland ; but they said, ‘ If there were a general, they were for Newcastle.’ They were pleased to give report, that I should be General of the Horse, but I protest, neither to the King, nor any else, did I ever so much as think of it. My Lord of Holland was made General, and so all things were laid aside.”\*

It is needless to follow the proofs of this plot further. Colonel Goring’s evidence coincided with that of

\* Rushworth, V. 256. The address sent by some of the officers, through Captain Chidley, had been seen and approved by the King.—*Clarendon*, I. 192. It had been also sent to the magistrates of Yorkshire.—See *Mr. Stockdale’s Letter*, p. 101, and contained an offer to march to London, for the suppression of those tumults which interrupted the free proceedings of Parliament. It was a movement evidently intended in favour of Strafford. In this it failed ; but Mr. Stockdale says it was suggested by a fear that they should be disbanded without their arrears of pay being forthcoming. Their petition certainly prevented this ; for they immediately received a most soothing letter from Mr. Lenthall, the Speaker, and very shortly after a good instalment of the money due to them.—*Parl. Hist.* IX. 304.

Mr. Percy ; the minor plotters were imprisoned or escaped ; but the chief sufferer was the King.\* The discovery of these covert efforts demonstrated that whilst he appeared to yield to the votes of the Parliament, he was secretly seeking for strong means to counteract them. It made the Parliament stern and distrustful, and in every case, especially that of Strafford, confident of success ; because they felt that since he condescended to secret contrivances to thwart them, he had not the moral courage to exercise his prerogative, and to carry out his convictions, by refusing assent to their measures.

One of those secret contrivances to save Strafford, was a plan for introducing a hundred soldiers under Captain Billingsley, into the Tower, which was discovered by three women who had permission to satisfy their desire of seeing the Earl, by peeping through the key-hole of his prison-room. He was then talking with Captain Billingsley, and arranging about the departure of the ship, on board of which he was to be conveyed. This being communicated to the Lieutenant of the Tower,

\* Nalson's Collections, I. 273. Of the plotters it need only be further noticed, that Henry Jermyn was a great favourite with the Queen, was her Master of Horse, and was married to her after the death of Charles the First. His services will be frequently noticed. Colonel Goring was the eldest son of Lord Goring, Governor of Portsmouth, who survived him. Mr. Wilmot was Commissary to the army, and eldest son of Lord Wilmot. Sir John Suckling, the Poet, and the would-be soldier, has been already noticed. Colonel Ashburnham was member for Hastings, and a constant attendant upon the King, even to his death. Sir Hugh Pollard was member for Beralstone ; and, together with Mr. Percy, was expelled the House, Dec. 9, 1641, for being concerned in this plot. Daniel O'Neil, "an Irishman and a Papist," was a Groom of the King's Bed-chamber, and had long been a royal favourite.—*Clarendon's Autobiography*, 129, &c. Wilmot, Ashburnham, Pollard, and O'Neil, were committed ; but were soon either bailed or allowed to escape ; for it was not yet an offence to obey the King's directions as to the movements of his troops.

Sir William Balfour, put him upon his guard, so that when Captain Billingsley brought a warrant from the King for his admission with a hundred soldiers into the Tower, Sir William refused to obey the mandate. Thus frustrated, Strafford himself addressed the Lieutenant, professing that he would not attempt to escape without his privity, but that if he would consent to obey the warrant for his removal to another place of confinement, during the journey he would contrive to escape, and that Sir William should at once receive 22,000*l*, and have an advantageous alliance for his son. These offers could not tempt the sturdy Scotchman to a breach of duty, and all attempts at escape from that time appear to have ceased.\* Charles professed that he only wished to strengthen the garrison of the Tower, but the most credulous royalist could scarcely have believed the plea.

The Lords were in no haste to pass the Bill of Attainder, nor would they have done so, probably, if the judges had not delivered it, as their opinion, that the Earl's offences amounted to treason, and that the bill was a legal course of proceeding.+ Still, either deterred by the tumults and petitions of the people, or unable to arrive at a conviction of his innocence or guilt, nearly one-half of the Peers who had been present during the previous course of the proceedings, were absent when the bill for death was passed. Only forty-five were in the House on the 7th of May, when the bill was

\* Rushworth's Trial of Strafford, 746 ; Whitelocke, 44.

+ Ibid. 44. The words of the judges, delivered by Lord Chief Justice Brampton, were, "That they were of opinion upon all which their lordships had voted to be proved, that the Earl of Strafford deserved to undergo the pains and forfeitures of High Treason, by law.—*Parl. Hist.* IX. 307.



read a third time ; of these, no more than twenty-six voted for it, nineteen being in the negative,\* and it was passed whilst “the good people were still crying at the doors for ‘Justice.’” †

Only one hope now remained to Strafford and his friends, and that might well be an assured one ; for in public, before the assembled Houses, and in a letter to the Earl himself, the King stood pledged not to consent to his death. Let us see how long Charles struggled to preserve his honour and his friend.

The bill passed the Lords on the 7th of May. On the 8th, being Saturday, the two Houses united in pressing for a speedy decision, and the King replied that at ten o'clock of the Monday morning, May the 10th, but one day being proposed to intervene, “he would be at the House of Lords, in order to give his assent!” ‡ These are the very words. The resolution to assent was arrived at, then, on the 8th, or words mean nothing ; and all the consultations on the 9th must have been to obtain carminatives for his conscience,—a conscience already resolved to be silenced—not, as is usually supposed, to hear reasons why he should consent to the sacrifice.

That 9th of May was the Sabbath-day, the day of all others on which a King might have rested from a work of blood—but Charles required no delay. He assembled his Privy Council, and suggested the scruples he entertained against the Bill of Attainder ; to which they replied, “There was no other way to preserve himself and his posterity, and, therefore, he ought to be more tender of the safety of the kingdom than of one person,

\* Whitelocke, 43.

† Clarendon's History, I. 201.

‡ Parl. Hist. IX 310.



however innocent.”\* Not one of the Council interposed a contrary opinion—not one was honest enough to say that evil ought not to be done to secure a certain, much less a merely hoped-for good : none were fearless enough to point out that, even if the Stuart dynasty ceased, England need not share in the fall ; and that he was base indeed who would pronounce the doom of his faithful friend, to save for himself the bauble of a crown ! But Charles was no weakling, and his own brain and his own heart, for he had a kind heart, must have suggested these truths of commonest household morality. Yet, he shrunk from the sacrifice—he turned to the judges for their opinion, but he complained that “their dubious answers did not ease him of his scruples,” for he seems not to have sought for encouragement to be just. The bishops, with but one bright exception, were not more faithful than the judges, for they met him with the casuistical query,—“As your Majesty refers your own judgment to your judges, and it lies on them if an innocent man suffer, why may not your Majesty so satisfy your conscience in the present matter ; and, though in your own mind not satisfied, let the blame lie upon them who sat upon the tribunal of life and death ?”† The Bishop of London, Dr. Juxon, saw the fallacy of this comparison ; he knew, and the King knew, the cases attempted to be drawn as parallel, were divergent from their commencement ; for in Strafford’s case, he had himself heard the evidence, and had publicly declared that

\* Clarendon’s History, I. 220.

† The four Prelates who thus suggested were Archbishop Usher, and Bishops Morton, Williams, and Potter.—*Hacket’s Life of L. K. Williams*, 161. Usher did not persuade the King to assent to the Bill. See authorities in *Biog. Brit. in vita*.

he felt it was inconclusive. Dr. Juxon, therefore, told him, without any reservation, that if unsatisfied in his conscience, he ought not to give his consent to the bill, whatever might be the consequences of his refusal. \* It was to avoid this sound morality that the subtle Bishop of Lincoln, and ex-Lord Keeper, Dr. Williams, suggested, that a "distinction existed between a man's public and private conscience; and that Charles's public conscience, as a King, might not only dispense with, but oblige him, to do that which was against his private conscience as a man; that the question was not, whether he should save the Earl of Strafford, but whether he should perish with him; that the conscience of a King to preserve his kingdom, the conscience of a husband to preserve his wife, the conscience of a father to preserve his children (all which were now in danger), outweighed abundantly all the considerations which the conscience of a master or a friend could suggest to him, for the preservation of a friend or servant." Well might Clarendon exclaim that these arguments were "unprelatical and ignominious," † teaching as they do, that villainy of the deepest die is permissible in order to serve the interests of a people, or even of a wife, or a child. The Lord Chamberlain, the Earl of Pembroke, even perverted Scripture to his purpose, telling the King, as Joab told David, that in grieving over this matter, he shamed the faces of his servants, and showed that he loved his enemies, and hated his friends. ‡

\* Nalson, II. 192.

† Clarendon's History, I. 202.

‡ 2 Samuel, xix. 5—8. Nalson quotes, by mistake, 2 Chronicles. Dr. Williams and the Bishop of Durham seem to have coincided in the "ignominious" advice; for the King told his Secretary, Sir Edward Walker, that it was not Archbishop Usher, and that Dr. Juxon maintained "his stout opinion against it." — *Walker's Discourses*, 360.

Dr. Juxon's warning induced the King to falter in his resolution : he hesitated from the consent he had promised to the Parliament ; and he dismissed his councillors, with instructions to attend him again in the evening. In the interval, the following letter appears to have reached his hands, though dated a few days previously : \*

MAY IT PLEASE YOUR SACRED MAJESTY,

IT hath been my greatest grief in all these troubles, to be taken as a person which should endeavour to represent and set things amiss between your Majesty and your people, and to give counsels tending to the disquiet of the three kingdoms. Most true it is (that this, mine own private condition considered) it had been a great madness (since through your gracious favour I was so provided), as not to expect in any kind to mend my fortune, or please my mind more, than by resting where your bounteous hands had placed me.

Nay, it is most mightily mistaken ; for unto your Majesty it is well known, my poor and humble advices concluded still in this, that your Majesty and your people could never be happy till there were a right understanding betwixt you and them ; and that no other means were left to effect and settle this happiness but by the counsel and assent of your Parliament ; or to prevent the growing evils of this State, but by entirely

\* Cobbett's State Trials, III. 1516 ; Clarendon, I. 202. The date of the letter must have been mistaken by the transcribers, for Sir G. Ratcliff says it was not written until the Friday preceding the King's assent. That Friday was May 7.—*Strafford's Letters*, II. 432.

putting yourself in this last resort, upon the loyalty and good affections of your English subjects.

Yet such is my misfortune, that this truth findeth little credit ; yea, the contrary seemeth generally to be believed, and myself reputed as one who endeavoured to make a separation between you and your people : under a heavier censure than this, I am persuaded no gentleman can suffer.

Now I understand the minds of men are more and more incensed against me, notwithstanding your Majesty hath declared, that in your princely opinion I am not guilty of treason, and that you are not satisfied in your conscience to pass the bill.

This bringeth me in a very great strait : there is before me the ruin of my children and family, hitherto untouched in all the branches of it with any foul crime. Here are before me the many ills which may befall your sacred person and the whole kingdom, should yourself and Parliament part less satisfied one with the other than is necessary for the preservation both of King and people. Here are before me the things most valued—most feared by mortal men,—life or death.

To say, Sir, that there hath not been a strife in me, were to make me less man than God knoweth my infirmities make me ; and to call a destruction upon myself and young children (where the intentions of my heart at least have been innocent of this great offence), may be believed, will find no easy consent from flesh and blood.

But with much sadness I am come to a resolution of that, which I take to be best becoming me, and to look upon it as that which is most principal in itself, which doubtless is the prosperity of your sacred person and



the commonwealth, things infinitely before any private man's interest.

And therefore, in few words, as I put myself wholly upon the honour and justice of my peers, so clearly, as to wish your Majesty might please to have spared that declaration of yours on Saturday last, and entirely to have left me to their lordships, so now, to set your Majesty's conscience at liberty, I do most humbly beseech your Majesty for prevention of evils which may happen to your refusal, to pass this bill, and by this means to remove (praised be God), I cannot say this accursed, but (I confess) this unfortunate thing, forth of the way towards that blessed agreement, which God, I trust, shall ever establish between you and your subjects.

Sir, my consent shall more acquit you herein to God, than all the world can do besides. To a willing man there is no injury done ; and as by God's grace I forgive all the world, with a calmness and meekness of infinite contentment to my dislodging soul, so, Sir, to you I can give the life of this world, with all the cheerfulness imaginable, in the just acknowledgment of your exceeding favours, and only beg that in your goodness you would vouchsafe to cast your gracious regard upon my poor son and his three sisters, less or more, and no otherwise, than as their (in present) unfortunate father, may hereafter appear more or less guilty of this death. God long preserve your Majesty.

Your Majesty's most faithful and humble  
subject and servant,

STRAFFORD.

*Tower, May 4th, 1641.*

This letter was made known to the Council on their assembling in the evening, and it furnished a fresh argument to some, that the Earl's consent to be sacrificed absolved the King from any scruple that remained.\* It is just possible that there may have been minds and hearts so indurated, so dead to every generous feeling, and to the dictates of justice, as to believe in the soundness of this argument. But all who were there assembled could not have been in nature so brutish. Juxon, we are told, was silent, but that silence must have been to the King more eloquent than words, and without suggestion from another must have wrung from his heart the truth, that no consent of the innocent can justify his destroyer, and that no plea can save from abhorrence him who allows a death undeserved to secure his own safety and advantage.

It has been said, perhaps with truth, that at this agonising moment, whilst the balance yet trembled in suspense, the Queen's intreaties prevailed, and that her voice tremulous with grief, and her intreaties for a decision to save her children, preponderated over justice, honour, and noble feeling. Be this as it may, at nine o'clock of the evening of that Sabbath-day, Charles, giving utterance to this genuine feeling, "My Lord of Strafford's condition is now happier than mine," signed a commission, empowering three of his Court to give his consent to his noble servant's death-warrant—the Bill of Attainder!†

Those who urged the King to this unworthy and

\* Clarendon, I. 202.

† Cobbett's State Trials, III. 1518; Strafford's Letters, II. 432. The Commissioners were the Earl of Arundel, (Lord Steward); the Earl of Pembroke,

sinful act, insulted his understanding when "they comforted him with the circumstance 'that his own hand was not in it.'"<sup>\*</sup>—a circumstance that could have yielded no consolation to the torturing reflection that he had permitted death to be inflicted on his faithful friend, because that death might benefit himself and his family. It is a damning spot upon the memory of the King, a spot covered, but not obliterated by his own blood! His ablest advocates have found no better plea for him than that he yielded to "importunity and necessity"—necessity!—that Procrustic plea by which, some few years subsequently, he was himself consigned to the scaffold and the headsman.

Let no one deprecate the weakness and the crime of Charles, however, without admitting every extenuation to mitigate the indignant feeling which naturally arises against him in every generous heart. Let it be remembered that he was afterwards bitterly punished for this and all his errors; that the hope to appease the clamour and remove danger from those dear to him, was a powerful temptation; that the advice of nearly all his councillors was most base, and that his own repentance was bitter, sincere, and endured to his dying hour. No event in history more powerfully demonstrates the futility of that policy, which permits recourse to criminal measures for support, than this consenting of Charles to the execution of Strafford. The consequences were totally the reverse of those intended to be produced. Its first notable result was that it destroyed the confidence of the

(Lord Chamberlain); and the Earl of Manchester, (Lord Privy Seal).—*Nelson*, II. 195. Hackett says, "On a Sunday, May 9, he signed the indefinite continuance of the Parliament and Strafford's execution with the same drop of ink—A sad subject! and as I find it so I leave it."—*Life of Williams*, 162.

• Clarendon, I. 203.

King's friends ; for when they saw that no security could be founded upon his promises, but that his pledged word and his conscience were disregarded when his own interests were urgent, they naturally inferred that no safety could be assured to themselves. Consequently, Lord Cottington resigned the Mastership of the Wards, and was succeeded by Lord Say ; Bishop Juxon retired from the office of Treasurer, which was put into commission ; the Earl of Newcastle declined the Preceptorship of the Prince, which was given to the Marquis of Hertford, and the Earl of Pembroke retired from the Lord Chamberlainship, making way for the Earl of Essex.\*

Instead of conciliating the people, the King's sacrifice of his friend undoubtedly drew upon him their contempt ; for it is one of many illustrations afforded by our national annals, that Englishmen never view but with disgust any individual who shrinks from suffering to preserve his honour. "That the King should be induced to consent to the execution of the Earl," says Whitelocke, "was admired (wondered at) by most of his subjects, as well as by foreigners."

But the most sorrowful consequence to the King must have sprung from within his own breast. From the moment of that consent, self-respect must have been lost—that loss for which not the adulation of the universe could compensate ; and he has left on record the confession that the "still small voice" was ceaselessly in his ear, and keeping ever fresh the torture of self-condemnation. "O God of infinite mercies," are the words of his own prayer, "forgive that act of sinful compliance, which hath greater aggravations upon me

\* Whitelocke, 44 ; Heath's Chronicle, 20.



than any man ; since I had not the least temptation of envy or malice against him, and by my place should at least so far have been a preserver of him as to have denied my consent to his destruction. O Lord, I acknowledge my transgression, and my sin is ever before me." \*

As the "sinful concession" was an endless source of contrition to the King, dispirited his friends, and disgusted the people ; so did it also speedily gain to him the woful experience, that acquiescence to an unjust demand only leads to farther requisitions. By asking it the demandant incurs a degree of guilt ; each addition of guilt brings its addition of fear, and every such fear is restless until the injured party is deprived of the power either to recover his right or to revenge his injury.† Even Pym looked only at the future when he heard of the King's consent, for his exclamation was—"What ! has he given us the head of Strafford ?—then he will refuse us nothing !"

The Commissioners allowed not an hour to elapse that they could prevent, before they announced to the assembled Parliament the King's consent. On the Monday morning, early, they took their seats between the throne and the woolsack, and, having announced the purpose of their coming, the Commons were directed to be summoned. Mr. Maxwell, Gentleman Usher of the Lords, full of the importance of his message, hurried

\* *Eikon Basilike*, § 2. One of the Harleian MSS. is a letter from the King to the Queen, (No. 6988, fol. 106), in which he speaks equally repentantly—"I sinned against my conscience, for the truth is, I was surprised with it instantly after I made that base, sinful concession. I hope that God will accept of my hearty repentance."

† Sir P. Warwick's *Memoirs*, 163 ; *Life of Selden*, 255.

to the Commons, totally forgetful of all the usual forms. Without his insignia of office, and without waiting to knock for admission, he burst into their presence. He was immediately commanded to withdraw and to attend with more decorum, but the intelligence was too gratifying to the members to allow them to take more serious notice of his informal intrusion.\* The Commons at once attended, and "the Clerk of the Parliament delivered, kneeling, the Commission whereunto the bills were annexed.† The Lord Privy Seal then declared to both Houses that the King had an intent to have come himself, but some important occasions had prevented him, and so his Majesty had granted a Commission for giving his assent to these two bills. This was delivered to the Clerk of the Parliament, who carried it to his table and read it; which being done, the Clerk of the Crown read the titles of the bills, and the Clerk of the Parliament pronounced the royal assent to them both severally."‡

\* Rushworth, V. 262.

† The other Bill was for the permanency of the Parliament.

‡ Nalson, II. 195. The following is a copy of the Earl's Bill of Attainder:—

"Whereas the Knights, Citizens, and Burgesses of the House of Commons, in this present Parliament assembled, have, in the name of themselves, and of all the Commons of England, impeached Thomas Earl of Strafford of High Treason, for endeavouring to subvert the ancient and fundamental laws and government of his Majesty's Realms of England and Ireland, and to introduce an arbitrary and tyrannical government against law in the said Kingdoms; and for exercising a tyrannous and exorbitant power over and against the laws of the said Kingdoms, over the liberties, estates, and lives of his Majesty's subjects; and likewise for having, by his own authority, commanded the laying and assieging of soldiers upon his Majesty's subjects in Ireland, against their consents, to compel them to obey his unlawful commands and orders, made upon paper petitions, in causes between party and party, which accordingly was executed upon divers of his Majesty's subjects in a warlike manner, within the said realm of Ireland; and in so doing did levy war against the King's Majesty and his liege people in that Kingdom: And also, for that he, upon the unhappy

The King repented of his criminal pusillanimity the moment he had consented to the Earl's death ; yet, Stuart-like, he dared not carry out his repentance. He sent for Denzil Holles, whose sister Strafford had married, and met him with the poltroonly question,—“ What can I do to save the Earl ? ” The reply was that which could alone be suggested by one who wished the King to do right, remembering that the blessed prerogative of

dissolution of the last Parliament, did slander the House of Commons to his Majesty, and did counsel and advise his Majesty that he was loose and absolved from the rules of government, and that he had an army in Ireland, by which he might reduce this Kingdom ; for which he deserves to undergo the pains and forfeitures of High Treason :

“ And the said Earl hath been also an incendiary of the wars between the two Kingdoms of England and Scotland : all which offences have been sufficiently proved against the said Earl upon his impeachment.

“ Be it therefore enacted, by the King's most excellent Majesty, and by the Lords and Commons in this present Parliament assembled, and by authority of the same, That the said Earl of Strafford, for the heinous crimes and offences aforesaid, stand, and be adjudged and attainted of High Treason, and shall suffer such pain of death, and incur the forfeitures of his goods and chattels, lands, tenements, and hereditaments of any estate of freehold or inheritance in the said Kingdoms of England and Ireland, which the said Earl, or any other to his use, or in trust for him, have or had, the day of the first sitting of this present Parliament, or at any time since.

“ Provided that no Judge or Judges, Justice or Justices whatsoever, shall adjudge or interpret any act or thing to be treason, nor in any other manner than he or they should or ought to have done before the making of this Act, and as if this Act had never been had or made.

“ Saving always, unto all and singular persons and bodies, politic and corporal, their heirs and successors, others than the said Earl and his heirs, and such as claim by, from, or under him, all such right, title, and interest, of, in, and to all and singular, such of the said lands, tenements, and hereditaments as he, they, or any of them, had before the first day of this present Parliament, any thing herein contained to the contrary notwithstanding.

“ Provided, That the passing of this present Act, and his Majesty's assent thereunto, shall not be any determination of this present sessions of Parliament, and all bills and matter whatsoever depending in Parliament, and not fully enacted or determined. And all Statutes and Acts of Parliament which have their continuance until the end of this present Session of Parliament, shall remain, continue, and be in full force, as if this Act had not been.”



mercy appertains to the Crown, as well as the sterner one of justice. Holles answered, that if the King pleased, since the execution of the law was in him, he might legally grant the Earl a reprieve. Holles further suggested, that Strafford should send him a petition for a short respite, to settle his affairs, and to prepare for death ; and that the King, with the petition in his hand, should go to the Parliament, and lay it before both Houses, accompanying it by a speech, such as Holles suggested. To this the King assented, and Holles immediately proceeded to influence his friends, by "assuring them, that if they saved Lord Strafford, he would become wholly theirs, in consequence of his first principles ; and that he might do them much more service by being preserved, than if made an example upon such new and doubtful points." Holles so succeeded that he believed if the King's party had co-operated, the Earl would have been saved. This, however, they did not do, being deterred from such a course by finding the Queen averse from it ; and it was said, that she persuaded the King to send the letter to the Houses by the Prince of Wales, and to add that mean postscript, which was no less than an abandonment of the whole attempt.\* The letter, entirely in the King's own handwriting, was in these words :

MY LORDS,

I DID yesterday satisfy the justice of the kingdom, by passing the Bill of Attainder against the Earl of Strafford : but mercy being as inherent in and

\* Burnet's History of his Own Times, 19, Ed. 1838.



inseparable from a King as justice, I desire, at this time, in some measure to show that likewise, by suffering that unfortunate man to fulfil the natural course of his life in a close imprisonment ; yet, so that if ever he make the least offer to escape, or offer directly or indirectly to meddle in any sort of public business, especially with me, either by message or letter, it shall cost him his life, without further process. This, if it may be done without the discontentment of my people, will be an unspeakable contentment to me.

To which end, as in the first place, I by this letter do earnestly desire your approbation ; and to endear it the more, have chosen him to carry it, that of all your House is most dear to me ; so I desire that, by a conference, you will endeavour to give the House of Commons contentment : likewise assuring you, that the exercise of mercy is no more pleasing to me, than to see both Houses of Parliament content, for my sake, that I should moderate the severity of the law in so important a case.

I will not say that your complying with me, in this my intended mercy, shall make me more willing, but certainly it will make me more cheerful, in granting your just grievances : but, if no less than his life can satisfy my people, I must say, *Fiat justitia*. Thus again recommending the consideration of my intentions to you, I rest,

Your unalterable and affectionate friend,

CHARLES R.

If he must die, it were charity to reprieve him till Saturday.\*

\* Rushworth's Trial of Strafford, 758.

A more unkingly letter never flowed from a monarch's pen. Its form and the infant bearer rendered it, it has been said, more a domestic than a royal communication, and we have been asked to view favourably the tenderness which it betrays of a sorrowing friend seeking for an equal affection. But no man reflecting that a question of life or death was at issue, can permit for an instant such a plea to make his judgment waver. If he allow the consideration to be entertained that the King loved the culprit, then must it make him still more stern in reprehending that monarch who confessing his consciousness, "that mercy was as inherent and inseparable to a king as justice," yet puled and asked permission for its exercise, instead of nobly daring to give a few more hours to his well-tried friend before he allowed him to be taken forth to death.

Twice did the Peers read that letter; "and after serious and *sad* consideration," (the emphasis is Rushworth's,) they resolved to depute fourteen of their number, humbly to signify, that "neither of the two intentions expressed in the letter could with duty in them, or without danger to himself, his dearest consort, and the young princes their children, possibly be advised." Charles allowed the deputation to urge no more; his heart was full, and true sorrow cannot be diffuse; "What I intended by that letter was with an 'if,'" said the King—"if it may be done without discontentment of my people: if that cannot be, I again say the same as I writ, *Fiat justitia*. My other intention, proceeding out of charity for a few days' respite, was upon certain information, that his estate was so distracted that it necessarily required some few days for settlement thereof."

The Lords were prepared for this ground on which to found the plea for delay, and at once replied, that "the House purposed to be suitors to his Majesty, for favour to the Earl's innocent children, and if he had made any provision for them that the same should not be voided." This was in accordance with the King's wishes; but unwilling to prolong the painful interview he arose to withdraw. As he moved towards the door the deputation offered to return to him his supplicatory letter, but he bade them retain it, adding, "My Lords, what I have written to you I shall be content to have registered by you in your House. In it you see my mind: I hope you will use it to my honour."\*

Thus ceased all exertions, or rather the expression of the wish—for it was no more—to save Strafford from the scaffold.

Let us turn to consider in connected detail, whether the Earl bore himself worthily, and whether he triumphed over that keenest of all trials—abandonment to undeserved death by those we have loved and served. Late in the evening of that day, May 10th, on which the King consented to the Earl's death, he sent to him by Mr. Secretary Carlton, the intelligence of that dire abandonment. No memorial remains of the words in which the message was directed to be imparted; nor can we conceive the language in which a monarch could dictate a message of such mingled misery, dishonour,

\* Rushworth, V. 266. The Peers composing the deputation were, the Lord Chancellor, Lord Privy Seal, the Earls of Bath, Essex, Dorset, Salisbury, Warwick, Cambridge, March, Bristol, Holland, and Berkshire, Viscount Say and Sele, and Lord Wharton.—*Parl. Hist.* IX. 317. The House resolved, the same day, May 11, to be suitors to the King for the Countess of Strafford, her family, and the Earl's creditors.

and humiliation. We are told, but it defies belief, even by Charles's worst maligners, that Carlton was directed when speaking of the King's having yielded, that he was to assign as his chief motive "the Earl's consent"\* in that noble and pathetic letter, which might have made even a coward resolute to save him! It is not possible, that Charles, infirm of judgment as he was, could have been so mean and cruel as needlessly to aggravate the bitterness of his friend's fate: even his inadvertency was not such as to allow him, when he bade the Earl prepare for death, to add the wormwood, that he had brought that fate upon himself. Strafford might well doubt the truth of the announcement; but Carlton again assuring him that indeed it was so, he rose reverently from his seat, and with eyes raised to the only unfailing source of mercy, and with hand pressed upon his heart, gave utterance to the truly apposite comment, "Put not your trust in Princes, nor in the sons of men, for in them there is no salvation."

It has been said, but surely without reason, that this exclamation was inconsistent with the magnanimity which dictated his noble letter to the King;† for Strafford may have been willing to die for his sovereign's advantage, and yet have been astonished, as all must have been, that the King should assent to the sacrifice of "his most faithful servant." It was an astonishment in

\* Whitelocke's Memorials, 44.

† D'Israeli's Commentaries on Charles the First, IV. 198. Sir Dudley Carlton, the King's Deputy on this trying occasion, was a nephew of the statesman who had been so much employed both by Charles and James, and who bore the same names. The uncle had been Secretary of State; but it is doubtful whether the nephew was more than Clerk of the Privy Council, which is, perhaps, all that was intended by Saunderson and Whitelocke, who speak of him as "Secretary."—*Wood's Fasti Oxon.* I. 270.



which friends and foes, natives and foreigners, all shared, and must have come with augmented force upon the victim, in whose cabinet rose up in judgment this letter :

STRAFFORD,

THE misfortune that is fallen upon you by the strange mistaking and conjuncture of these times, being such that I must lay by the thought of employing you hereafter in my affairs ; yet I cannot satisfy myself in honour or conscience without assuring you, (now in the midst of your troubles,) that upon the word of a King, you shall not suffer in life, honour, or fortune. This is but justice, and therefore a very mean reward from a master, to so faithful and able a servant, as you have showed yourself to be ; yet it is as much as I conceive the present times will permit, though none shall hinder me from being

Your constant faithful friend,

CHARLES R.\*

*Whitehall, April 23, 1641.*

No fear of death mingled with the Earl's emotion. The time was indeed short for preparation, for he was to die within forty hours after that interview with Carlton ! Yet, brief as was that interval, it brought to him no confusion ; but all was characterised by the calm dignity of a Christian, anxious to fulfil his parting duties as a friend, a husband, and a parent. His "ancient chaplain," Dr. Carr, and the Archbishop of Armagh, Dr. Usher, were early with him on the following day, and as the one has left on record that "the Earl was the most severe judge of himself he ever knew ; and that, beyond his natural

\* *Strafford's Letters*, II. 416.

strength, he had great humility and charity towards his enemies," so the other has borne similar testimony that his last hours were "most Christian, most magnanimous," and that "a whiter soul" never passed away to him that gave it.\* Next to his spiritual exercises, the care of his family engrossed his attention, and the following letters, the inditing of which must have occupied a large portion of his last day, testify sufficiently that his anxieties were not centred upon self. To his faithful secretary and friend, Guildford Slingsby, he wrote as follows†:—

"I WOULD not as the case now stands, for anything, you should endanger yourself, being a person in whom I shall put a great part of my future trust; and, therefore, in any case absent yourself for a time, yet so as I may know where you are, and therefore send your man back, that I may know whither to direct anything I have to impart to you, and that presently; and after that, let your man come as little about this place as may be. Your going to the King is to no purpose—I am lost; my body is theirs, but my soul is God's; there is little trust in man. God may yet (if it please Him) deliver me, and as I shall (in the best way He shall enable me unto) prepare myself for Him, so to Him I submit all I have. The person you were last withal at Court, sent to move that business we resolved upon, which if rightly handled, might perchance do something; but you know my opinion in all, and what my belief is in all these things. I should by any means advise you to absent yourself, albeit never so innocent, as you are, till you see what becomes of me; if I live,

\* *Strafford's Letters*, II. 432; *Rawdon Papers*, 84.

† *Rushworth's Trial of Strafford*, 774.

there will be no danger for you to stay, but otherwise keep out of the way till I be forgotten, and then your return may be with safety. I mean, indeed, to leave you one in trust for my children, and thank you for your readiness to look after it.

“Time is precious, and mine I expect to be very short and therefore no part of it to be lost. God direct and prosper you in all your ways ; and remember there was a person whom you were content to call master, that did very much value and esteem you, and carried to his death a great stock of his affection for you, as for all your services, so for this your care towards me all this time of my trial and affliction ; and however it be my misfortune to be decried at present, yet in more equal times, my friends (I trust) shall not be ashamed to mention the love to their children, for their father’s sake.

“Your affectionate friend,

“STRAFFORD.”

To his Irish Secretary, and fellow-prisoner, Sir George Radcliff, he thus replied, in answer to his farewell consolatory note.

DEAR GEORGE,

MANY thanks I give you for the great comfort you give me in this letter ; all your desires are freely granted ; and God deliver you out of this wicked world, according to the innocency that is in you. My brother George will come to you, and show you such things as in this short time I could think of, imperfect as they are, and therefore I wholly submit all to be ordered as shall amongst you be thought most meet ;

and if the debts cannot otherwise be discharged, the lands in Kildare may be sold. The King saith he will give all my estate to my son ; and so sends me word by my Lord Primate. God's goodness be ever amongst us all, this being the last I shall write, and so Blessed Jesus receive my soul !

I leave to your care that you trusted ; that if you find the estate will bear it, to raise the portions of my daughters, according as was intended by my will.\*

To his judges he thus charitably wrote :—

“SEEING it is the good will and pleasure of God, that your Petitioner is now shortly to pay that duty which we all owe to our frail nature ; he shall in all Christian patience and charity, conform and submit himself to your justice, in a comfortable assurance of the great hope laid up for us in the mercy and merits of our Saviour, Blessed for ever !

Only, he humbly craves to return your lordships most humble thanks for your noble compassion towards those innocent children, whom now, with his last blessing, he must commit to the protection of Almighty God ; beseeching your lordships to finish his pious intentions towards them, and desiring that the reward thereof may be fulfilled in you, by Him that is able to give above all we are able to ask or think ; wherein I trust the honourable House of Commons will afford their Christian assistance.

And so, beseeching your lordships charitably to forgive all his omissions and infirmities, he doth very

\* Whitaker's Radcliff Correspondence, 226.



heartily and truly recommend your lordships to the mercies of our Heavenly Father, and that for his goodness he may perfect you in every good work. Amen.

“THOS. WENTWORTH.”

To his only son this last of his letters was devoted, and it deservedly stands acknowledged as one of the best examples of parental admonition :—

MY DEAREST WILL,

THESE are the last lines that you are to receive from a father that tenderly loves you. I wish there were a greater leisure to impart my mind unto you ; but our merciful God will supply all things by his grace, and guide and protect you in all your ways, to whose infinite goodness I bequeath you ; and therefore, be not discouraged, but serve him, and trust in him, and he will preserve and prosper you in all things.

Be sure you give all respect to my wife, that hath ever had a great love unto you, and therefore will be well becoming you. Never be wanting in your love and care to your sisters, but let them ever be most dear unto you ; for, this will give others cause to esteem and respect you for it, and it is a duty that you owe them in the memory of your excellent mother and myself ; therefore, your care and affection to them must be the very same that you are to have of yourself. And the like regard must you have to your youngest sister ; for, indeed, you owe it her also, both for her father and mother's sake.

Sweet Will, be careful to take the advice of those friends, which are by me desired to advise you for

your education. Serve God diligently morning and evening, and recommend yourself unto him, and have him before your eyes in all your ways. With patience, hear the instructions of those friends I leave with you, and diligently follow their counsel ; for, till you come by time to have experience in the world, it will be far more safe to trust to their judgment than your own.

Lose not the time of your youth, but gather those seeds of virtue and knowledge which may be of use to yourself and comfort to your friends for the rest of your life. And that this may be better effected, attend thereunto with patience, and be sure to correct and refrain yourself from anger. Suffer not sorrow to cast you down ; but with cheerfulness and good courage go on the race you have to run in all sobriety and truth. Be sure, with an hallowed care, to have respect to all the commandments of God, and give not yourself to neglect them in the least things, lest by degrees you come to forget them in the greatest : for, the heart of man is deceitful above all things. And in your duties and devotions towards God, rather perform them joyfully than pensively ; for God loves a cheerful giver. For your religion, let it be directed according to that which shall be taught by those which are in God's Church, the proper teachers, therefore, rather than that you ever either fancy one to yourself, or be led by men that are singular in their own opinions, and delight to go ways of their own finding out ; for you will certainly find soberness and truth in the one, and much unsteadiness and vanity in the other.

The King, I trust, will deal graciously with you,

restore you those honours and that fortune which a distempered time hath deprived you of, together with the life of your father ; which I rather advise might be by a new gift and creation from himself, than by any other means, to the end you may pay the thanks to him without having obligation to any other.

Be sure to avoid, as much as you can, to inquire after those that have been sharp in their judgments towards me ; and I charge you never to suffer thought of revenge to enter your heart : but be careful to be informed who were my friends in this prosecution, and to them apply yourself to make them your friends also ; and on such you may rely, and bestow much of your conversation amongst them. And God Almighty, of His infinite goodness, bless you, and your children's children ; and His same goodness bless your sisters in like manner, perfect you in every good work, and give you right understandings in all things. Amen.

Your most loving father,

T. WENTWORTH.

*Tower, this 11th of May, 1641.*

You must not fail to behave yourself towards my Lady Clare, your grandmother, with all duty and observance ; for most tenderly doth she love you, and hath been passing kind unto me. God reward her charity for it ! And both in this and all the rest, the same that I counsel you, the same do I direct also to your sisters, that so the same may be observed by you all. And once more do I, from my very soul, beseech our gracious God to bless and govern you in all, to the saving you in the day of His visitation, and join us again in the

communion of His blessed saints, where is fulness of joy, and bliss for evermore ! Amen. Amen.\*

Archbishop Usher remained with the Earl until night-fall, and then at his desire repaired to the King to present to him some few dying requests for the advantage of his friends. Those friends were Dr. Bramhall, Bishop of Derry ; the Irish Chancellor, Sir John Loftus ; and Lord Lowther, all of whom were then suffering imprisonment in Ireland, for their known concurrence with and friendship to Strafford. The King at once granted those petitions ; and in Usher's pocket-almanac, under the date of May 11th, were found, after his death, some other memoranda, entitled, "What the King wisheth me to deliver unto my Lord Strafford tomorrow." These were the utterance of conscience, wishing to justify and mitigate that which was indefensible. Usher was to tell the Earl that Charles "would never have given passage unto his death if the King's own life only were hazarded thereby," and that even his execution could not be deferred without extreme danger : that his entire estate should be enjoyed by his widow and children ; that it should be under the management of any one he might appoint ; and that if his son proved of sufficient ability he should be specially employed and preferred. Strafford had asked for some favour to be shown to his friends, Lord Dillon and the Earl of Ormond, and the King promised that the first should be employed, and that the second should have the Garter, about to be vacated by Strafford's death.†

\* Strafford's Letters, II. 416.

† Ibid. II. 418.



When his sorrowing friends were taking their farewell on the last night, Strafford sent for the Lieutenant of the Tower and besought him, "If it were possible, that he might speak with the Archbishop," Laud, his fellow-prisoner. Balfour replied, that he dared not permit the interview without permission from the Parliament. "Why, Master Lieutenant," rejoined Strafford, "you shall hear what passeth between us: it is not a time either for him to plot heresy, or for me to plot treason." Balfour, however, was firm, explaining that his orders were strict and specific, but that he would forward a petition from the Earl to the Parliament. "No," replied Strafford, "I have gotten my dispatch from them, and will trouble them no more. I am now petitioning a higher court, where neither partiality can be expected, nor error feared." "But, my lord," he added, turning to Dr. Usher, "what I should have spoken to his Grace of Canterbury is this: you shall desire him to lend me his prayers this night, and to give me his blessing when I go abroad tomorrow; and to be in his window, that by my last farewell, I may give him thanks for this and all other his former favours." And so they parted for the night.\*

No friendly hand, like that of Herbert's in the chamber of Charles, has left to admiring posterity the record of Strafford's last night. We may justly regret this, without being open to sarcasm for our morbid love of the sorrowful; because no object tends more to increase affection for our fellow-creatures, than the spectacle of man rising superior to suffering and adversity. Though we have no chronicle of that night of trial, we may justly

\* Rushworth's Trial of Strafford, 762.

conclude that it afforded no contrast to the triumph of the morning.

On that morning, seeing the vast multitude which was assembled on Tower Hill to witness the execution, Sir William Balfour requested Strafford that he would consent to be conveyed to the scaffold in a coach, for fear the people should rush upon him and tear him to pieces ; but the dignified reply was, "No, Master Lieutenant, I dare look death in the face, and, I hope, the people too. Have you a care that I do not escape, and I care not how I die, whether by the hand of the executioner, or the madness and fury of the people. If that give them better content, it is all one to me."\* So he proceeded to the place of blood on foot, and so firm was his step, so erect his posture, so undismayed his look, that it was said by some of the spectators that he moved on more like a general with his army to a triumph than like a culprit to his death. Yet there was no unbecoming expression on his features ; the brow, naturally severe, we are told by an eye-witness, was now mild ; and though there was "a dejection becoming contrition for sin," yet the expression of unaffected, undaunted courage was still paramount.

\* In Cooke's "Speeches and Passages of this Parliament," published in 1641, is a speech said to have been delivered by Strafford, "in the Tower, to the Lords ;" but it is beyond doubt a fabrication written by some Puritan of the time, to neutralise the effect upon the public mind, of the Earl's noble bearing and speech upon the scaffold. It is a mere dull sermon, confessing and aggravating his own guilt, and justifying the Parliament. There is (p. 221) even a thrust against the King and the House of Lords—"Let no man trust either in the favour of his Prince (or) the friendship and consanguinity of his Peers"—but there is nothing against his obdurate pursuers, the Commons. In "Somers' Tracts," *I. Coll. IV.* 449, is another speech of Strafford's, said to have been intended by him to have been spoken on the scaffold, but that he was "interrupted." It is evidently a forgery, and only worthy of being added to "the last dying speeches" customarily cried about our streets after an execution.

Balfour had mistaken the character of an English mob assembled to see a great man die a martyr to opinion. They were silent, respectful, sympathising, but there was no cry, much less a hostile movement, as he traversed the road from the Tower Gate to the scaffold, as taking off his hat and bowing to each side he saluted them as he passed.\* It is true the sides of the road were lined by soldiers of the Trained Bands, but they were not required so far as the keeping of order was concerned.

The Earl set forth from his prison-chamber between the hours of ten and eleven, preceded by the Marshal's men, the Sheriffs' halberdiers, the Buffetiers or Warders of the Tower, and next before him one of his retinue, his gentleman-usher in mourning and bare-headed. Strafford also was "clad in cloth of black," but it was not without design, probably, that he that day "had white gloves upon his hands." He was followed by others of his attendants, also in mourning; by Dr. Usher and other divines, the Sheriffs of London, the Earl of Cleveland; his brother, Sir George Wentworth; and other friends.†

Close to his own prison-room was that of Laud, and

\* Rushworth's Trial of Strafford, 773. At "a modest computation" there were one hundred thousand persons assembled on Tower Hill, "yet as he went to the scaffold they uttered no reproachful or reflecting language upon him." Although the mob showed no symptoms of triumph, offered no insult to add to the Earl's suffering, yet his death was acceptable to the people, as an earnest that the ways of despotism were closed. Bonfires and other demonstrations of rejoicing were exhibited in London and its vicinity, "and many that came up to town to see the execution rode in triumph back, waving their hats, and with all expressions of joy through every town they went, crying, 'His head is off!—His head is off!'"—*Sir P. Warwick's Memoirs*, 164.

† Cooke's Speeches, &c., 226; Rushworth, 759.



the Archbishop, to gratify his friend's wish, was at the window waiting his coming forth. Strafford bowed and approaching to the wall beneath the window, said, "My lord, your prayers and your blessing." Laud lifted up his hands in the act of bestowing both, but his heart was too full to permit him to speak, and overcome by his feelings he fell back into the arms of his attendants.\* The Earl passed on, but turned once more to look upon his ancient friend, and waving his hand, commended him to that judgment where "no error is to be feared," adding, "Farewell, my lord ! God protect your innocency."

Having ascended to the platform of the scaffold, he advanced to each of its side rails, and bowed to the multitude. Turning to his assembled friends, he began taking his leave of them, and observing Sir George Wentworth's extreme agony of grief, he said with a cheerful voice—"Brother, what do you see in me to deserve these tears ? Doth any indecorous fear betray in me a sense of guilt, or my innocent boldness any atheism ? Think, now, that you are accompanying me the third time to my marriage-bed. Never did I throw off my clothes with greater freedom and content than in this preparation for the grave. That stock (pointing to the block) must be my pillow, here shall I rest from all my labours. No thoughts of envy, no dreams of treason, jealousies, or cares for the King, the State, or myself,

\* Baker's Chronicle, 511, continued by Milton's nephew, Edward Phillips. We quite agree with Daines Barrington, in thinking this work, so far as relates to the Stuart period, much better than it is usually estimated. Dr. Laud, when noticing to Dr. Whimberley this last interview with Strafford, said he had shown unbecoming weakness ; but by God's assistance, when he should come to his own execution, which he expected, the world should see that he was more sensible of the Earl's loss than of his own.—*Nelson*, II. 202.



shall interrupt this easy sleep. Therefore, brother, with me, pity those who, contrary to their intention, have made me happy. Rejoice in my happiness—rejoice in my innocence.” He then addressed himself generally to those assembled, saying, “I hope you think that neither the fear of loss, nor love of reputation, will suffer me to belie God and my own conscience at this time, when I am now in the very door going out, and my next step must be from time to eternity either of peace or pain. To clear myself before you all I now solemnly call God to witness that I am not guilty, so far as I can understand, of the great crime laid to my charge ; nor have I ever had the least inclination or intention to damnify or prejudice the King, the State, the laws, or the religion of this kingdom ; but with my best endeavours to serve all, and to support all. So may God be merciful to my soul !” \*

He made this declaration upon his knees, but, rising up, requested the people to be patient, whilst he declared himself upon the same points more fully, though he still addressed himself especially to those with him upon the scaffold. He said—

“ My Lord Primate of Ireland, and my lords, and the rest of these noble gentlemen,—It is a great comfort to me to have your lordships by me this day, because I have been known to you a long time, and I now desire to be heard a few words.

“ I come here, my lords, to pay my last debt to sin, which is death, and through the mercies of God to rise again to eternal glory.

\* Nalson, II. 199.

“ My lords, if I may use a few words, I shall take it as a great courtesy from you. I come here to submit to the judgment that is passed against me. I do it with a very quiet and contented mind ; I do freely forgive all the world ; a forgiveness not teeth-outwards (as they say), but from my heart. I speak in the presence of Almighty God, before whom I stand, that there is not a displeasing thought that ariseth in me against any man. I thank God, I say truly, my conscience bears me witness, that in all the honour I had to serve his Majesty, I had not any intention in my heart, but what did aim at the joint and individual prosperity of the King and his people, although it be my ill-hap to be misconstrued. I am not the first man that hath suffered in this kind ; it is a common portion that befalls men in this life. Righteous judgment shall be hereafter. Here we are subject to error, and misjudging one another.

“ One thing I desire to be heard in, and do hope that for Christian charity's sake I shall be believed. I was so far from being against Parliaments, that I did always think Parliaments in England to be the happy constitution of the kingdom and nation, and the best means, under God, to make the King and his people happy. As for my death, I do here acquit all the world, and beseech God to forgive them in particular. I am very glad his Majesty conceives me not meriting so severe and heavy a punishment, as the utmost execution of this sentence. I do infinitely rejoice in it, and in that mercy of his, and do beseech God to return him the same, that he may find mercy when he hath most need of it. I wish this kingdom all prosperity and happiness in the world. I did it living, and now dying it is my wish.

“ I profess heartily my apprehension, and do humbly recommend it to you, and wish that every man would lay his hand on his heart, and consider seriously, whether the beginning of the people’s happiness should be written in letters of blood. I fear they are in a wrong way ; I desire Almighty God, that no one drop of my blood rise up in judgment against them. I have but one word more, and that is for my religion.

“ My Lord of Armagh, I do profess myself seriously, faithfully, and truly, to be an obedient son of the Church of England ; in that Church I was born and bred ; in that religion I have lived, and now in that I die. Prosperity and happiness ever to it !

“ It hath been said I was inclined to Popery ; if it be an objection worth the answering, let me say truly from my heart, that since I was twenty-one years of age until this day, going on forty-nine years, I never had thought or doubt of the truth of this religion ; nor had ever any the boldness to suggest to me the contrary, to my best remembrance.

“ And so being reconciled to God, through the merits of Jesus Christ my Saviour, into whose bosom I hope shortly to be gathered, to enjoy eternal happiness, which shall never have an end, I desire heartily to be forgiven of every man, if any rash or unadvised words or deeds have passed from me, and desire all your prayers. And so, my lord, farewell, and farewell all things in this world.

“ The Lord strengthen my faith, and give me confidence and assurance in the merits of Christ Jesus. I trust in God we shall all meet to live eternally in Heaven, and receive the accomplishment of all happiness, where every tear shall be wiped from our eyes, and sad



thoughts from our hearts ; and so God bless this kingdom, and Jesus have mercy on my soul !” \*

At the conclusion of this address he shook hands, “and took a solemn leave” of all his friends who were around him, and, having done so, added—“Gentlemen, I would say my prayers, and I intreat you all to pray with me and for me.” He then knelt down by a chair, on which his chaplain had placed the book of Common Prayer, and the Psalm which Strafford selected was that most appropriate one in which David pleads not only for forgiveness to himself, but for his enemies and his country.† Having prayed for nearly half-an-hour, concluding with the Lord’s Prayer, he rose from his knees, and again calling to him Sir George Wentworth, he said, “Brother, we must part ;—remember me to my sister, and to my wife, and carry my blessing to my eldest son. Charge him from me that he fear God and continue an obedient son of the Church of England ;—that he approve himself a faithful subject to the King ; and tell him that he should not have any private grudge or revenge towards any concerning me ; and bid him beware of meddling with church-livings, for that will prove a moth and canker to him in his estate ; and advise him to content himself to be a servant to his country as a justice of the peace in his own county, not aiming at higher preferment. Carry my blessing also to my daughters Anne and Arabella ; charge them to fear and serve God, and then he will bless them. Not forgetting my little infant, that knows neither good nor evil, and

\* Rushworth, V. 265.

† Strafford’s Letters, II. 433. The Psalm was the Twenty-fifth.



cannot speak for itself ; God speak for it and bless it ! I have now nearly done. One stroke will make my wife husbandless, my dear children fatherless, my poor servants masterless, and separate me from my dear brother, and from all my friends ; but let God be to you and to them, all in all."

Proceeding now to undress, he said—"I thank God I am no more afraid of death, nor daunted with any discouragements arising from any fears, but do as cheerfully put off my doublet at this time, as ever I did when I went to bed." Having removed his doublet, wound up his hair, and drawn over it a white cap to retain it from rendering the stroke of the axe less effective, he desired the executioner to be called, replying to his request for forgiveness—"I forgive you and all the world." He then knelt down by the block, Dr. Usher kneeling on the one side, and Dr. Carr on the other ; and, after praying a short time, "he spoke some few words softly, having his hands lifted up, and closed between those of his chaplain."

Lying down upon the scaffold, to place his neck upon the block, he told the headsman that he would first "try the fitness of the block," before he laid down his head finally. Having done so, and before resting again upon the block, he said to him, "I will give you warning when to strike, by stretching out my hands." Doing this immediately afterwards, he was decapitated with one blow of the axe.\*

\* Rushworth's Collections, V. 269. His body was embalmed and removed for interment in York Minster. He had been thrice married, his first wife being Margaret Clifford, sister to the Earl of Cumberland, by whom he had no issue ; the second, Arabella Holles, sister to the Earl of Clare, by whom he had one son and two daughters ; and the third, Elizabeth, daughter of Sir Godfrey Rhodes, having issue—one son and one daughter.

“Thus fell,” says his adversary Whitelocke, “this noble Earl, who for natural abilities, and for improvement of knowledge by experience in the greatest affairs,—for wisdom, faithfulness, and gallantry of mind,—hath left few equals.” With that opinion coincided Cardinal Richelieu, for his comment on the intelligence was —“The English are so foolish that they would not let the wisest head among them remain upon its own shoulders.”\*

We will give one more full and unflattering character of this most influential statesman of his time, and then leave the subject—but not its consequences; for with Strafford’s fall commenced the utter ruin of the Royalist cause. It is the conviction of this fact that induced us to trace its details with so much minuteness, and this, (added to the insight which it affords into the manners of the times,) has led us to insert the following, from the pen of his closest intimate, Sir George Radcliff.

“In the managing of his estate and domestical affairs, he used the advice of two friends, Charles Greenwood,† and George Radcliff, and two servants, Richard Morris, his steward, and Peter Man, his solicitor. Before every Term they met, and Peter Man brought a note of all things to be considered of; which being taken into consideration, one by one, and every one’s opinion heard, resolution was had and set down in writing, whereof his lordship kept one copy, and Peter Man another. At the

\* Sir P. Warwick’s Memoirs, 162. Evelyn, in his “Diary,” says, “I beheld, on Tower Hill, the fatal stroke which severed the wisest head in England from the shoulders of the Earl of Strafford; whose crime, coming under the cognizance of no human law, a new one was made, not to be a precedent, but his destruction—to such exorbitancy were things arrived.”

† Mr. Greenwood, was a Yorkshire clergyman.



Rembrandt sculp.

W. J. G. de Witt sculp.





next meeting, an account was taken of all that was done in pursuance of the former orders, and a new note made of all that rested to be done, with an addition of such things as did arise since the last meeting, and were requisite to be consulted of. His whole accounts were ordered to be made up twice a year, one half year ending the 20th of September, the other the 20th of March : for by that time, the former half-year's rents were commonly received, or else the arrears were fit to be sought after ; it being no advantage either to the tenant or landlord to suffer arrears to run longer.

“ He never did anything of any moment, concerning either political or domestical business, without taking advice ; nor so much as a letter written by him to any great man, of any business, but he showed it to his confidants, if they were near him. The former part of his life, Charles Greenwood and George Radcliff were consulted with ; and the latter part, Christopher Wandesford came in Charles Greenwood's room, Charles Greenwood desiring not to be taken away from his cure. They met almost daily, and debated all businesses and designs, *pro et contra*. By this means, the Earl's own judgment was very much improved, and all the circumstances and probable consequences of the things consulted were discovered and considered : a course which some great men have practised, and which is very efficacious to make a wise man, even though he advise with much weaker men than himself ; for there is no man of ordinary capacity, that will not often suggest some things, which might else have been let slip without being observed : and in the debating of things, a man may give another hints and occasions to observe and find out

that which he that speaks to it, perhaps, never thinks on ; as a whetstone, which cannot cut itself, does make a knife sharper.

“He was exceeding temperate in meat, drink, and recreations. He was no whit given to his appetite ; though he loved to see good meat at his table, yet he eat very little of it himself : beef or rabbits were his ordinary food, or cold powdered meats, or cheese and apples, and in moderate quantity. He was never drunk in his life, as I have often heard him say ; and for so much as I have seen, I had reason to believe him ; yet he was not so scrupulous, but he would drink healths, where he liked his company, and be sociable as any of his society, and yet still within the bounds of temperance. In Ireland, where drinking was grown a disease epidemical, he was more strict publicly, never suffering any health to be drunk at his public table, but the King’s, Queen’s, and Prince’s on solemn days. Drunkenness in his servants was in his esteem one of the greatest faults.

“He loved hawking, and was a good falconer ; yet in his latter days he got little time to see his hawks fly, though he always kept good ones. He played excellently well at primero and mayo, and for company sake, in Christmas, and after supper, he would play sometimes ; yet he never was much taken with it, nor used it excessively, but as a recreation should be used.\*

\* Primero was a fashionable game. “I left him at Primero with the Duke of Suffolk,” says Shakspeare (*Henry VIII.* act iv. sc. 5). And the Marquis of Worcester, in his “*Century of Inventions*,” suggests knots to be so arranged in the fingers of a pair of “white silk gloves,” that, when playing Primero, “the sixes, sevens, and aces, which the player discarded,” may be easily remembered. Mr. Duchat, in a note to the 22nd Chapter of the 1st Book of Rabelais, gives directions for playing this game.

His chief recreation was after supper, when, if he had company which were suitable unto him, that is, honest cheerful men, he would retire into an inner room, and sit two or three hours, taking tobacco and telling stories with great pleasantness and freedom ; and this he used constantly, with all familiarity in private, laying then aside all state, and that due respect which in public he would expect.

“ He loved justice itself, taking great delight to free a poor man from a powerful oppressor, or to punish bold wickedness, whereof there are sundry instances to be given, both at York and in Ireland. This lost him some men’s good will, which he thought to be better lost than kept upon those terms. One person of quality, whom he had severely punished at York, came to be one of his judges in the Lords’ House, and there did him all justice and favour (as the case then stood) in his last troubles ; who therefore deserves to be honoured, especially by us that had relation to him.\*

“ He was excellently well studied in that part of the English laws, which concerns the office of a justice of peace ; insomuch as one of the Judges of Assize, a great lawyer, was well pleased to learn his opinion in a matter about the poor, and the statutes made concerning them. By constant attendance at the Star Chamber for seven years together, he learned the course of that court, and many directions for his carriage towards the public. This was a most pleasant and useful employment for a young gentleman in those days, who is likely to have any part in the government of his country.

“ He bore a particular personal affection for the King ;

\* Probably Lord Savile.

and he was always a lover of monarchy, although some that have observed him in former Parliaments thought not so ; but they little knew with what respect and kindness King James had used him ; for as certainly that Prince thought him no enemy to his power. It is true, he was a subject, and sensible enough of the people's liberties ; and he always thought that regal power and popular privileges might well stand together ; and then only they were best preserved, when they went hand in hand, and maintained one another. He always disliked the abuse of regal authority to the oppression of subjects, for private ends and interests ; yet it being most hard and difficult to keep the interests of the King and people from encroaching one upon another, the longer he lived, his experience taught him that it was far safer that the King should increase in power, than that the people should gain advantages on the King.\*

“ His prudence and diligence are best shown by the government of Ireland, wherein he never undertook any business that he would give it over till he had finished it. He was constantly at work himself, and set out able instruments in every kind proper for his assistance : to them he gave little rest, still calling on and encouraging them to be doing, and to give accounts of what they had done, and rewarding plentifully all that deserved

\* This is a weak attempt to defend Strafford's tergiversation ; and we must remember that in pleading for him the writer was, by implication, shielding himself. Rateliff, and another relative, Wandesford, most conveniently were converted at the same time that Strafford was won from thinking that monarchy is an institution intended for the benefit of the people. They all once concurred in maintaining that the King cannot rule without Parliaments, nor without the control of the laws they have sanctioned. “ The Laws,” said Strafford, when in the House of Commons, “ are not acquainted with Sovereign Power.”



it. If those he employed were diligent and dexterous to dispatch the King's business, they needed not study for suits for themselves; his watchfulness and bounty would prevent them, wherein I could give a multitude of instances.\*

“In the compass of seven years, whereas the King's revenue in that kingdom before he came thither had fallen every year short above 20,000*l.* of defraying the public charge, he brought the King's revenue not only to pay all, but to yield about 60,000*l.* yearly above all payments; and it was in a growing condition, still increasing. He discharged the King's debts there, which were great, nearly 8000*l.* He got restored to the Church, lands and tithes sacrilegiously interverted, about 30,000*l.* in yearly value. He brought in all the laws in England into force to his time, (except several penal laws, which are commonly snares to the people, rather than producers of any reformation,) so as the Irish and English might live together as one people. He indenized all the ante-nati Scots which were born before Queen Elizabeth's death: a favour of very great advantage to that nation, which it may be hoped some of that nation will consider, and remember how some of their countrymen reputed that benefit. He saw the army complete, duly paid, duly clothed, and duly exercised, whereof his own eyes every year were his witnesses. He secured the seas from piracies, so as only one ship was lost at his first coming, and no more all this time; whereas every year before, not only several ships and goods were lost by robbery at sea, but also Turkish

\* Strafford gave the leading features of his own character in one sentence—  
“I despise danger—I laugh at labour.”—*Strafford's Letters*, I. 80.

men-of-war usually landed and took prey of men to be made slaves. By this means and other encouragements of merchants, trading did increase to full treble of what it was formerly ; and for every ton of shipping which he found in Ireland, he left an hundred tons, as may be particularly shown by a list of all the shipping found and left in every harbour of that kingdom. In the mean time, he caused the merchants to pay their customs more duly than they had done, whereof many incorporations were more sensible and displeased at it, than the great security and benefit which they received in their trading did recompense, in their apprehension. But the whole kingdom felt the benefit, inasmuch as all lands throughout Ireland increased near double in yearly value and rents within the compass of these seven years ; inasmuch that it was generally observed that Ireland never lived in that tranquillity, and plenty, and liberty from oppression, and other blessings that made a nation flourish, as it did under his government. That all people should be satisfied, it is impossible ; but when the complaints of discontented persons are duly heard and considered, they will very easily be answered by any that knew those times.

“He was naturally exceedingly choleric, an infirmity with which he had great wrestlings ; and though he kept a watchfulness over himself concerning it, yet it could not so be prevented, but sometimes upon sudden occasions it would break forth. He had sundry friends often admonished him of it ; and he had the great prudence to take in good part such admonitions : nay, I can say that I, one of his most intimate friends, never gained more upon his trust and affection than by this

freedom with him, in telling him of his weaknesses. For he was a man and not an angel; yet such a man as made a conscience of his ways, and did endeavour to grow in virtue and victory over himself, and made good progress accordingly.\*

“He was defamed for incontinence, wherein I have reason to believe that he was exceedingly much wronged.† I had occasion of some speech with him about the state of his soul several times, but twice especially, when I verily believe he did lay open unto me the very bottom of his heart. Once was, when he was in a very great affliction upon the death of his second wife; and then for some days and nights I was very few minutes out of his company. The other time was at Dublin, on a Good Friday, (his birth-day) when he was preparing himself to receive the blessed sacrament on Easter-day following. At both these times, I received such satisfaction, as left no scruple with me at all, but much assurance of his charity. I knew his ways long and intimately; and though I cannot clear him of

\* In mitigation of our reprehension of Strafford for his extreme irritability, we shall do well to remember that he had to exert his mind to an unwonted degree, whilst suffering from two complaints tending more than any other to produce acerbity of temper—gout and a calculous disorder.

† Both Strafford and the Countess of Carlisle were much belied, if their intercourse was Platonic. His regard for her interests would strike any one, even ignorant of the reported intrigue; for whatever embarrassments pressed upon the Irish Treasury, he always took care that she should not suffer.—*Strafford Letters* and *Sidney Papers*. The Countess was one of the most beautiful women of her time; and when a widow, or, as Waller then happily described her,

“A Venus rising from a sea of jet,”

she became, according to Sir Philip Warwick, the inamorata of Pym. Leaving the gay Cavaliers for the more rational Puritans, “she frequented their sermons and took notes.”—*Warwick's Memoirs*, 204.

all frailties (for who can justify the most innocent man ?) yet I must give him the testimony of conscientiousness in his ways, that he kept himself from gross sins, and endeavoured to approve himself rather unto God than unto man, to be religious inwardly and in truth, rather than outwardly and in show.

“I need say little of his eloquence and abilities in speech. Both Houses of Parliament in England, and the Star Chamber and Council-table there, as also the Presidential Court at York, and the Council-chamber, and Star Chamber and Parliament in Ireland, and as much as any of these, his last defence at his trial in Westminster Hall before the King, Queen, Lords, House of Commons, and multitudes of auditors of all sorts, are most full and abundant witnesses hereof, to omit his private and public letters, which showed that he writ as well as he spoke. This perfection he attained first by reading well-penned authors in French, English, and Latin, and observing their expressions ; secondly, by hearing of eloquent men, which he did diligently in their sermons and public speeches ; thirdly, by a very great care and industry, which he used when he was young, in penning his epistles and missives of what subject soever ; but above all, he had a natural quickness of wit and fancy, with great clearness of judgment, and much practice, without which his other helps of reading and hearing, would not have brought him to that great perfection to which he attained. I learned one rule of him, which I think worthy to be remembered. When he met with a well-penned oration or tract upon any subject or question, he framed a speech upon the same argument, inventing and disposing what



seemed fit to be said upon that subject, before he read the book ; then reading the book, compare his own with the author, and note his own defects, and the author's art and fulness ; whereby he observed all that was in the author more strictly, and might better judge of his own wants to supply them.

“ But amongst all his qualities, none was more eminent than his friendship, wherein he did study and delighted to excel ; a subject wherein I can worst express myself, though I have most to say, and greatest scope to enlarge myself : for I cannot think of it without remembering what I lost in his death ; a treasure which no earthly thing can countervail : such a friend as never man within the compass of my knowledge had ; so excellent a friend, and so much mine. He never had anything in his possession or power, which he thought too dear for his friends : he was never weary to take pains for them, or to employ the utmost of his abilities in their service. No fear, trouble, or experience, deterred him from speaking or doing any thing which the occasions of his friends required. He was never forgetful, nor needed to be solicited to do or procure any courtesy which he thought useful for or desired by his friends. He spent eight years' time, besides his pains and money, in soliciting the businesses and suits of his nephews, Sir George and Sir William Savile : going every term to London about that only, without missing one term in thirty, as I verily believe : and all this, merely in memory of the kindness which had passed between him and his brother-in-law, Sir George Savile, then deceased. The Lord Baltimore, and the Lord Keeper Coventry, both of them on their death-beds gave him a most singular testimony of

their sense of his most constant kindness and industrious promoting of their interest at the Court, above the ordinary course of Court friendship. How he bestirred himself in an arbitration between the Earl of Arundel and Surrey, and Philip Earl of Pembroke, wherein he was named on the Earl of Arundel's part, the particulars are more than I can well set down ; and the consequence thereof I am very willing to forget. It will be too long for me to design to express the obligations his kindness laid on particular men. There are very many that have cause to remember them, and they or their posterity enjoy the fruit thereof. In fine, he did not seek friendship with all men ; but where he desired intimacy, his kindness did appear much more in effect than in words. He never failed where he did profess friendship ; yet the time was, when he might have secured himself from the great opposition raised against him in Parliament, if he would have consented to have done, and forborne to have done, some things, concerning some whom he accounted his friends, which some men would not have scrupled at : and God knows whether he was repaid again with the like kindness and fidelity."

## CHAPTER V.

The Parliament attacks Laud—Puritans too strong for him—Sir E. Dering opens the attack—Case of Mr. Wilson—Mr. Grimston denounces Laud—Denzil Holles impeaches him—Committed to the Tower—Sir F. Windebanke attacked and flies—His memoir—Sir H. Vane, his co-secretary—Lord Keeper Finch threatened—His defence—Impeached, but escapes to Holland—Subsequent life—Sir G. Ratcliff and Judges assailed—Sir R. Crew—Misconduct of the Bishops—Letter of Sir F. Fairfax—Petition for a University at Manchester—Strafford's Trial—Exclusion of the Bishops from power—Lord Fairfax's property—Charles careful of Church government—Dr. Wren and eleven other Bishops impeached—Root and Branch Bill—Division of opinion relative to them—Popular Riots—Bishops' lives endangered—They absent themselves from Parliament—Their Protest—Charles communicates it to both Houses—Twelve Bishops imprisoned for High Treason—Arguments for excluding them from Parliament—Counter-arguments—Bishops Hall and Latimer differ—Recal of Prynne and others—Abolition of Star Chamber and other Courts—Charles recapitulates his concessions—Queen of Bohemia and the Palatinate—Letter of the Countess Lewenstein—Charles Fairfax—King proposes to visit Scotland—Fears of the Commons—Rumoured Designs—Mutinous conduct of the Army—Letter of Charles Fairfax—Petition against serving as Jurors—Letter of Mr. Stockdale—Oppressive conduct of the Soldiers—Levyng Subsidies—Peers exempted—Three Regiments disbanded—Mr. Hyde Chairman of Bishops' Committee—Earl of Holland appointed to disband the Army—Letter of Mr. Stockdale—Course of proceeding—Sir J. Astley—Sir J. Conyers—Billet-money—Dishonesty of the Officers—Visitors to Harrogate Spa—Disputed Accounts—Misdemeanour of Returning Officer for Knaresborough—Billet-money due from one Regiment—National Debt—Alarm of Commons—Money borrowed by them—Levy a Poll Tax—Letter of Mr. Stockdale—Ill conduct of the Judges—Ship-money—Review of the Poll Tax—Increase of Recusants—Proposal of Tax for Suppression of Irish Rebellion.

Looking back upon the contest which had been carried on between the Parliament and the King, from the beginning of the reign to the day of Strafford's execution, extending over a period of sixteen years, we

are at once struck by the progressive advance made by the former towards the attainment of their objects. Adapting their weapons to every new emergency, addressing themselves with consummate skill and sleepless vigilance to the evasive shapes into which the royal despotism glided from session to session, never compromising a fraction of their demands, standing always firmly on their privileges, and faithfully resisting the encroachments of the throne at all hazards, and in the face of an authority which possessed and exercised the prerogative of extinguishing their deliberations, the Parliament steadily pursued their purpose, until at length they succeeded in bringing one great culprit to the block. The punishment of Strafford may have exceeded the measure of his offences, the prosecution may have taken the colour of vengeance ; but higher considerations intervene at this distance of time to guide us to a more comprehensive judgment on these transactions. The matter at issue was of deeper interest than that of the exact justice dealt out to an individual under circumstances of unprecedented pressure and alarm, or the temper with which an impeachment for high treason against the rights of the people was conducted by their long suffering and much outraged representatives. The liberties of the country were at issue between the Crown and the Parliament, and were in peril at every step of the conflict. It is quite consistent with the enlightened patriotism of the present age to commiserate the fate of Wentworth, and to admit at the same time the controlling necessity, involving the existence of the constitution itself, under which this proceeding and all other extreme measures of the



Commons, were so strenuously carried to their consummation.

Previous Parliaments had done, and could do, little more than assert popular principles and fall by them. They presented a series of popular martyrdoms. Buckingham triumphed over them to the last. Their power had not acquired the requisite concentration to enable them to grapple with him successfully. The career of the King had been a career of impunity, fretted, no doubt, by constant impediments and unwearying protests; yet still showing a vitality which it often seemed hopeless to oppose. But the constancy of Parliament lived down all obstacles. If hitherto they had been unable to accomplish tangible results, they had systematically prepared the public mind to expect them. They had developed public opinion. They had organised the moral strength of the country. They had clearly expounded the practical grievances under which the people were suffering, had fearlessly dissected the illegal and arbitrary conduct of the King, defined the boundaries, then ill-understood, of constitutional right, and, without being able to effect an impression upon the force arrayed against them,—sustained as it was by fear and venality, by old superstitions and hereditary resources—they had blocked up the passage to its farther progress. Above all things they had strengthened the faith of the people in the justice and ultimate triumph of their cause, by proving to them that there were steadfast and resolute men in the breach, ready to defend it to the last extremity.

And now came the time for action. The whole proceedings of the Parliament that doomed Strafford to

the death, were distinguished by an energy of movement such as had never before been exhibited within its walls. Not satisfied with eloquent speeches, and courageous declarations, they decided every question they discussed. Their resolutions reached all the conspicuous abuses of the time; Ship-money was denounced as a violation of law and the rights of property; patentees and monopolists were expelled from the house; and the judges were protected in the discharge of their functions. To have stopped with the prosecution of Strafford would have left greater evils unredressed behind; and the course which they had thus so auspiciously begun, they determined to pursue with a promptitude and firmness which filled the secret chambers of Whitehall with dismay. The next delinquent upon whom they seized was Archbishop Laud.

Laud was the foremost man amongst the advisers of the King, who insisted upon increasing the powers of the throne and the prelacy. He was the first to be swept away by the irresistible tide of reform. He had made war upon the Puritans, a term of contempt which was used so indiscriminately as to embrace a large majority of the whole population. The Court doctrines on these matters were well expressed by Sir Benjamin Rudyard — “Under the name of Puritans all our religion is branded, and under a few hard words against Jesuits, *all Popery is countenanced.*” But the Puritans were too strong for Laud, and he had now to meet the consequences of his infatuated policy.

The impending storm was ominously shadowed forth by Sir Edward Dering,\* within a week after the Par-

\* Parl. Hist. II. 662. Sir E. Dering was a Knight of the Shire for Kent.

liament assembled ; and about a fortnight later, Sir Edward renewed his denunciation of the archbishop, in language still more menacing and explicit.\*

Not a solitary voice was raised in the archbishop's defence ; and on the 16th of December the Convocation and its canons were condemned by the House. On the 18th a committee, embracing all the leaders of the House, reported through their chairman, Mr. Grimston, that Laud was "like a busy, angry wasp,—his sting in the tail of everything,—and that it was not safe that such a viper should be near his Majesty's person."† Mr. Denzil Holles was then commissioned to impeach him at the bar of the House of Lords ; and that prelate not offering a word of defence, was committed to the custody of the Usher of the Black Rod, and finally to the Tower.‡

The committal of Laud was followed by fresh proofs of the activity of Parliament.

The next officer of state assailed by the House of Commons was Sir Francis Windebanke, "the very broker and pander" of Rome, who in terms still coarser was denounced by Mr. Grimston. Sir Francis was one

Though an opponent of the Court and Ecclesiastical misrule, he was a Royalist ; was expelled from the House in 1641 ; raised and commanded a regiment of horse for the King ; was deprived of all his estates, and died in poverty at a farm-house once his own, at Surrenden, in Kent. His death occurred in 1644.

\* Parl. Hist. II. 671.

† Nalson's Collections, I. 691. Abuse seems to have been an acknowledged figure of rhetoric in those days, and "Viper" a favourite term of reproach. The King, in dissolving a former Parliament, spoke of the Opposition members as "vipers," who must expect to be crushed.

‡ There is this entry in his "Diary" :—"March 1st, I went in Mr. Maxwell's coach to the Tower. No noise till I came to Cheapside ; but from thence to the Tower I was followed and railed at by the apprentices and rabble in great numbers, to the very Tower gates, where I left them ; and I thank God he made me patient."

of the Secretaries of State, and the charges preferred against him were, that he exercised his official power to protect and promote the interests of the Papal religion. The truth of the accusation is admitted even by the friendly Clarendon, who says that "he was, indeed, an extraordinary patron of the Papists." \* Either by design or accident he was allowed to escape, for being ordered to withdraw from the House whilst the charges were in debate, he retired to the Committee-chamber, and, finding no further notice was taken, he hastened to his own house, and fled the same night "in an open shallop" to Calais. Clarendon intimates that the charges would have implicated Sir Henry Vane, whom the Commons desired to shelter, which seems to favour the suspicion that the House connived at his escape; a suspicion slightly strengthened by the subsequent conduct of the Commons, who, being summoned to attend the Peers just as they were about to enter upon the charges, afterwards adjourned their deliberations without again referring to his case.

The Lord Keeper Finch was next assailed, and

\* Clarendon's History, I. 142. Windebanke had become Laud's intimate friend whilst fellow-students at St. John's, Oxford; and Laud, duly estimating his pliable character, obtained for him the secretaryship vacated in consequence of Sir Dudley Carlton's death. This was in 1632.—*Laud's Diary*. Windebanke returned to England, and endeavoured to effect a reconciliation with the King; but the latter refusing to see him, Windebanke again retired into France. He died at Paris, in 1646. His eldest son was a gentleman of the Privy Chamber to Charles the Second. His second son was shot for traitorously surrendering Blechingdon House to Cromwell; and the third, a physician, was patronised by Cromwell, when Protector.—*Wood's Athens Oxon*. In a letter to the Lord Chamberlain, the Earl of Pembroke, he declares that he considered the Church of England "pure and orthodox;" but he does not declare whether that Church was Protestant or Papist. Saunderson says that Windebanke died "a professed Roman Catholic;" but Whitelocke says that it was only so "reported."



he boldly demanded to enter upon an anticipatory defence, before any charges were preferred against him. That defence was eloquent and specious, but the House were not to be won over by his eloquence from the memory of his conduct as its Speaker, as Chief Justice in the case of Ship-money, and in the enlargement of the Forest. "Had not this syren so sweet a tongue," said the member for Wigan, Mr. Rigby, "he could not have effected so much mischief;" and his concluding words prevailing, "Let us not be so pitiful as to be remiss; not so pitiful in judgment as to have no judgment,"—Lord Falkland was directed to carry up to the Lords an impeachment against "John, Lord Finch, Baron of Fordwich, and Lord Keeper." This was on the 21st of December, and having a timely warning, he, like Windebanke, passed into exile, and like him, writing to the Earl of Pembroke, protested his innocence. He appears to have remained concealed for a few days in England before he commenced his flight; for he says—"I am now at the Hague, where I arrived the last day of last month (December), and where I purpose to live in a fashion agreeable to the poorness of my fortunes." \*

Some other civilians, but of minor importance in the ranks of the absolutists, such as Sir George Ratcliff,

\* Parl. Hist. II. 698. The friends of this unprincipled man in the House of Commons continued the debate as to his impeachment until the Peers had risen, so that he could not be secured that day.—*Clarendon's History*, I. 141. This gave him time to escape. He remained in exile about eight years; and paying a heavy fine, was then allowed by Cromwell to return. He suffered himself to be drawn from his retirement near Canterbury, to be one of the judges for the trial of the regicides, and so conducted himself as to be detested by all parties. His death occurred at the close of 1660. No greater proof of his baseness need be remembered than his consenting to have Sir Robert Heath displaced, and to succeed him, that the levying of Ship-money

the Irish Secretary and relative of Strafford, and six of the judges who had declared the levy of Ship-money legal, by their judgment against Hampden, were also added to the number of the impeached. It is sufficient thus briefly to notice these impeachments, as demonstrative of the sweeping determination with which not only the reversal of every unconstitutional act was pursued, but to bring punishment upon those co-operating to inflict the wrong.

But whilst the House of Commons thus sought to deter by punishment, they were not unmindful to promote and to encourage by their votes of approbation and reward those who had asserted popular rights. The reparations to Sir John Eliot and his fellow-sufferers have been already noticed; yet another act of justice deserves remembrance, because, as was truly but quaintly said by its advocate, Denzil Holles, "Reward and punishment are the two legs that justice walks on; but reward is her right leg, the more noble and the more glorious." This was said in asking the Peers to join in a petition to the King for some mark of special favour to Sir Randall Crew—"that good old judge," who had been displaced from the Chief Justiceship of the King's Bench, because he refused to pronounce in favour of one of the King's unparliamentary loans.\*

might be more efficiently enforced. That event, and Sir John Banks's apostacy for the Attorney Generalship, on the death of Noy, were thus noted at the time by some Westminster Hall wit :—

*Noy's* (Noah's) flood is gone,  
The *Banks* appear;  
*Heath* is cut down,  
And *Finch* sings there.

\* This application was inopportune, for Charles was not likely at that moment to reward those who had opposed his will, and whom he had condemned.

Before we pass from the consideration of these proceedings of the Commons against the recreant judges, it deserves to be remembered, that whilst they sought for punishment on their want of integrity, they did not forget to obtain for that integrity a better security hereafter. It is usual to attribute to Charles the merit of altering the tenure by which the judges held their places, but that praise has been misdirected to him, for it is attributable to the House of Commons. On the 15th of January, 1641—for even the very birth-time of this salutary safeguard of the due administration of justice deserves to be recorded—Charles assented that for the future this clause, “*Quamdiu se bene gesserint,*” might be inserted in the patents of the judges, instead of “*Durante bene placito.*” Charles assented, but the proposition emanated from the House of Commons, and a committee had waited upon the King to suggest and to advocate the change.\*

The misconduct of the bishops came next under the consideration of the House ; misconduct so strongly marked, involving them so deeply with secular affairs, that the besom of reform, in sweeping over the offenders, was directed quite as much against the existence of Episcopacy, as against the evil-doings of individual bishops.

The opinions of men, even among the most moderate of reformers, at that time, may be gathered from the following letter :—

Sir R. Crew died in 1642 ; and though his descendants enjoy the dignity of a Baron, it was not conferred for any merit possessed by their most worthy ancestor.

\* Parl. Hist. II. 702. The statutes, 13 Wm. III. c. 2, and 1 Geo. III. c. 23, did little more than ratify this first suggestion of the Long Parliament, for securing the independence of the judges.

TO MY VERY LOVING BROTHER, MR. HENRY FAIRFAX,  
AT ASHTON-UNDER-LINE.

GOOD BROTHER,

I HAVE received your letter, and in it a petition for an university to be erected at Manchester, which cannot be done but by a bill in Parliament. The charge will be great—about one hundred marks; and the effecting what is desired will be very uncertain. Those well affected to the now universities (which include, indeed, every member of our House,) will be in danger to oppose this. I should be most glad to have such a bill pass, as beneficial not only to that, but all the northern counties. I shall advise with the knights and burgesses of that county, and go the way they shall think fittest; but I much fear a happy issue of it, especially now that the House has made an order to entertain no new matter till some of those great and many businesses we have grasped be ended, the chief whereof are my Lord Lieutenant's trial, this day only entered into, which is like to hold one week; the next will be my Lord of Canterbury's trial, and with that, Episcopacy and Church-government (I hope not the liturgy, which many shoot at); and we have gone no further in that as yet than to vote in these words: "That the legislative and judicial power of Bishops in the House of Peers is a hindrance to the discharge of their spiritual function, prejudicial to the commonwealth, and to be taken away by Bill." This Act is framing, and does exclude not only them, but all clergymen from power in the Star Chamber, Council Board,



Commission of Peace, and all civil courts. The next charge will be against the Judges, for subverting the laws of the land ; into which we are not yet entered ; nor can we hope for half that time of sitting which will be requisite to make examples of offenders in the several kinds. For the other part of your letter, you desire to know what I will grant out of the whole estate unto you and children. Truly, brother, you must give me leave (so long as you think a third part or any whit of it due by law or reason, considering the will of my dear father,) to forbear a signification of what I will grant ; nor can your own or my sister's coming (as you write) to move friends to intercede, prevail more with me than yourselves are able without any such friends.

I intend, if it please God, to be very shortly in the country, wearied with much toil, and infirm in this evil air, where I shall be glad to see my sister and you ; and the rather to invite you, my brother and sister Constable, now lodged at the Pear-Tree, in the Covent Garden, have promised to come down with me, and stay this summer in the country. She has her health much better than her husband. My cousin Aske and his wife remember them to you. I think neither of them will come down. He is in his lodging again in the Temple, and in reasonable practice. Thus, with my best wishes to yourself and my sister, I rest,

Your very affectionate brother,

FER. FAIRFAX.

*King-street, this 22d of March, 1640. (N.S. 1641).*

Charles was wisely sensitive and wary when considering any proposed change affecting Church govern-

ment. He believed it to be the best of ecclesiastical establishments ; and he now felt, when too late, that, by endeavouring to force it upon his Scottish subjects, he had endangered its very existence in England. With the wish to avoid, if possible, even any proposal conflicting with his belief, he told both Houses in a conference with them at Whitehall, that although willing to remove all innovations in the Church, yet that he made a great difference between reformation and alteration : —“ I am for the first,” said the King ; “ I cannot give way to the latter. I will not say that bishops may not have over-stretched their power, or encroached upon the temporal ; which, if you find, correct and reform the abuse, according to the wisdom of former times. Yet, by this, you must understand, that I cannot consent for the taking off their voice in Parliament :” a declaration which was drawn from the King by the popular clamour, “ that bishops should be no more than ciphers, if not clear done away.” \*

The House of Commons were not idle or dilatory in dealing with the Episcopal Bench. On the 18th of December, Laud was impeached ; on the day following the Bishop of Ely, Dr. Wren, was held to bail on “ certain informations of a high nature ;” † and only a few months after, Serjeant Wylde impeached them and eleven other bishops at the bar of the House of Lords, in the following terms : that they “ did contrive, make,

\* Parl. Hist. II. 711.

† Ibid. 682. Hampden heralded the charges to the House of Lords ; and Mr. Grimston, with an attempt at wit too vulgarly obvious, said, after enumerating several other ecclesiastics, that “ the Wren was the least of those birds, yet one of the most unclean.” For eighteen years Dr. Wren was most unjustly detained, without a trial, in the Tower.

and promulge several constitutions and canons ecclesiastical, containing in them divers matters contrary to the King's prerogative, to the fundamental laws and statutes of the realm, to the rights of Parliament, and to the property and liberty of the subject."\*

These were only attacks on individual prelates ; but an active opinion and spirit were abroad, not only that the holder of a spiritual office should have no political employment, but that all ecclesiastical dignities were contrary to the doctrines of Christianity. The House of Commons inclining to both these opinions resolved that for any bishop or clergyman to be in the commission of the peace, or to have any judicial power, was a hinderance to his "spiritual function and prejudicial to the commonwealth." In furtherance of this resolution a bill was passed and sent up to the House of Peers, not only restraining them from such "intermeddling in secular affairs," but also taking from them their right of voting as members of the Legislature. This was rejected by a large majority, but the House of Commons renewed the attack in a form so extirpatory of all "archbishops, bishops, their chancellors and commissaries, deans, archdeacons, and other ecclesiastical officers," that it received the very appropriate title of "the Root and Branch Bill."

Upon no question was there a more evenly balanced

\* Rushworth, V. 359 ; Parl. Hist. II. 896. Besides Laud and Wren, the other bishops impeached were Walter Curle, Bishop of Winchester ; Robert Wright, of Coventry and Lichfield ; Godfrey Goodman of Gloucester ; Joseph Hall, of Exeter ; John Owen, of St. Asaph ; William Piers, of Bath and Wells ; George Coke, of Hereford ; William Roberts, of Bangor ; Robert Skinner, of Bristol ; John Warner, of Rochester ; John —, of Peterborough, and Morgan Owen of Landaff.

division of opinion than upon this. The Court party and the leaders of the reformers were far from being unanimous. The Earl of Essex was in its favour because "seldom was anything carried directly opposed to the King's interests, by reason of the number of the bishops, who, for the most part, unanimously concurred against it." \* Nathaniel Fiennes, young Sir Harry Vane and Hampden, coincided with the Earl, but Pym and Denzil Holles were opposed to such a change in the constitution of the Legislature. Even Hyde and Lord Falkland, "who had never been known to differ in the House," took opposite sides.†

The union of opinion was not more perfect outside the walls of Parliament, for, although the rabble, making a stand before Whitehall, cried out "No Bishops! No Bishops!" and although their rage against them went so far that they threatened to pull down their lodgings, and it became necessary to close and guard Westminster Abbey; Bishops were assaulted, and the Archbishop of York was rescued with difficulty; yet these were the ebullitions of none but the rabble, who with as much reason shouted subsequently for the death of the King and the abolition of the House of Lords. It is true, a petition from the City of London, sustained by fifteen thousand signatures, aided the cry for "No Bishops!" but nineteen county petitions, with one hundred thousand signatures attached, pleaded for the maintenance of Episcopacy.‡

\* Clarendon's History, I. 184.

† Ibid. 185.

‡ Neal, II. 356. It is needless to enumerate the adverse Petitions. Oxfordshire, Berkshire, Hertfordshire, &c., petitioned against Episcopacy; Oxford University, Rutland, Cheshire, and others in its favour.—*Nelson's Collections*, II. *passim*.



This division paralysed the attempt to pass the measure through the Parliament, and for that time it was abandoned ; but the London mob prevailed in the mode peculiar to those who have more physical than moral power. The friends of Charles, however, hastened the success of the mob by arming themselves, and forming a guard about Whitehall "with more formality and ceremony than upon a just computation of all distempers was by many conceived seasonable."\* A table was kept for the entertainment of these indiscreet loyalists, comprising officers of disbanded regiments, and students of the Inns of Court, spirits not likely to refrain from collision with an abusive mob ; indeed, Clarendon relates that this was the consequence. Warm with indignation at the daily insolencies of the rabble, words of high contempt and scorn were interchanged ; and blows, more serious than from the unarmed hand, were not long in following. Each party set up a distinguishing war-cry, and this gave birth to the epithets "Roundhead" and "Cavalier ;" the first being applied to "the rabble, contemned and despised," and the other to those "looked upon as servants to the King."†

The House of Peers gave directions to the sheriffs to provide constables, and suppress the meetings ; but some of the House of Commons, including Pym, declined to co-operate in this "protection" of free parliamentary discussion, by observing, that "they must not discourage their friends, it being a time when they must make use of all." Others, with better judgment, called for the adoption of measures to put down those who, "begirting the house, would prescribe what laws should

\* Clarendon, I. 267.

† Ibid. ; Ludlow's Memoirs, I. 21, (Ed. 1698.)

be enacted, and what persons should be prosecuted.”\* The mob, however, prevailed, and the Bishops dared no longer venture to attend the Parliament. “The rout,” says Bishop Hall, “did not stick openly to profess that they would pull us in pieces. Messages were sent down to them from the Lords, but they still held firm both to their place and their bloody resolutions. It now grew to be torch-light, and the Marquis of Hertford told us we were in great danger, and advised us to take some course for our safety.”

The terrified prelates sought for advice, but none more comfortable was offered than that they should remain all night in the House; “for,” added the Marquis, who, with some others, seems to have revelled in increasing the terrors of these aged divines, “these people vow they will watch you at your going out, and will search every coach for you with torches, so that you cannot escape.” At length, some in the coaches of popular noblemen, “and the rest, some of them by their long stay, and others by secret and far-fetched passages, escaped home.”†

Thus driven from Parliament, it would have been wisdom in them to have remained quiet until this popular effervescence had subsided, but they presented a “Petition and Protestation,” “an unadvised act,” observes Whitelocke, “pleasing to their adversaries, being a way prepared by themselves for setting them aside, and removing them from the House of Lords.”‡

\* *Parl. Hist.* II. 988.

† Bishop Hall’s “Hard Measure.”

‡ Whitelocke’s *Memorials*, 51. Twelve bishops signed it:—The Archbishop of York, and the Bishops of Durham, Lichfield, Norwich, St. Asaph, Oxford, Bath and Wells, Hereford, Ely, Gloucester, Peterborough, and Llandaff.—*Parl. Hist.* II. 994.

In that Petition, after stating that they had been "several times violently menaced, affronted, and assaulted by multitudes of people, in their coming to perform their service in Parliament, and lately chased away, and put in danger of their lives," they protest that "they dare not sit or vote in the House of Peers," and that all Acts passed or that shall be passed in their absence, "since the 27th of this instant, December 1641," are "null, and of none effect."

Charles grasped the Protest and communicated it to the Peers, by the hands of his Lord Keeper, for it kindled a hope, opened a prospect to him that he might make void under a legal pretext the statutes forced upon his acceptance. This hope was fallacious and the prospect a mirage, for all, even their friends, were exasperated at this idle attempt to embarrass the public measures, and only one voice was heard to plead for them, expressing a conviction that they were more worthy of cells in Bedlam than in the Tower.\* Some of the courtiers, indeed, saw in it a divine interposition in their favour, and that "it was the finger of God." If it were so, that finger pointed the way to the bishops' prompt destruction, for "the House of Commons took very little time to consider the matter," (we quote the words of Clarendon,) "but, within half an hour, they sent up to the Lords; and, without further examination, accused all who had signed the Protestation of high treason. By this means the whole

\* Clarendon's History, I. 275—9. That ill-advised Protest was the hasty suggestion of Dr. Williams, Archbishop of York; and according to Bishop Hall, in his "Hard Measure," was hurried to the House of Peers without their consent.

twelve of them were committed to prison, and remained in the Tower till the bill for the putting them out of the House was passed; which was not until many months after.”\*

The advocates of these changes employed arguments coinciding with those offered by Lord Say and Sele. They argued that “he who has an office must attend upon its duties, especially this of the ministry, according to the practice of the Apostles. There never was, nor will be, men of so great abilities and gifts as they were endued with, yet they thought it so inconsistent with their callings to take places of judicature in civil matters and secular affairs and employments, that they would not admit even of the distraction that a business, far more agreeable to their callings than these would cast upon them, and they give the reason of it in the sixth chapter of Acts. ‘It is not reason that we should leave the word of God, and serve tables.’ Again, when they had directed their disciples to choose men fit for that business, they instituted an office for taking care of the poor, lest they should be distracted by it from the principal work of their calling; adding this statement how they intended to employ themselves:—‘But we will give ourselves continually to prayer, and to the ministry of the word.’ Did the Apostles, men of extraordinary gifts, think it unreasonable to be hindered from giving themselves continually to preaching the word and prayer, by

\* Clarendon’s History, I. 278. There were various other changes voted at this time by the House of Commons, such as the Act for the abolition of Deans and Chapters, Archdeaconries, Prebendaries, and Canonries, and investing their lands in feoffees; the rents to be applied to the fitting support of “preaching ministers,” and the reparation of churches. *Parl. Hist.* II. 838—77.



taking care for the tables of the poor widows?—and can the bishops now think it reasonable, or lawful, for them to contend for sitting at the council-table ; to govern states ; to turn statesmen instead of churchmen ; to sit in the highest courts of judicature, and to be employed in making laws for civil polities and government ?

“ Their proper excellency is spiritual ; the denial of the world, with its pomp and preferments, and employments. This they should teach, and practise ; but when they, on the contrary, seek after a wordly excellency, like the great men of the world, and to rule and domineer as they do, contrary to our Saviour’s precept, ‘ It shall not be so amongst you ; ’ instead of honour and esteem, they bring upon themselves, in the hearts of the people, that just odium which they now lie under ; because the world concludes that they prefer a worldly excellency, and run after it, and contend for it, before their own.

“ Although the Pope be cast off, yet now there is another inconvenience, no less prejudicial to the kingdom, by bishops sitting in the House of Peers ; and that is, they have such an absolute dependency upon the King that they do not sit there as freemen. That which is requisite to freedom, is to be void of hopes and fears ; but for the bishops, it is not likely they will lay aside their hopes, greater bishoprics being still in expectancy : and for their fears, they cannot lay them down, since their places and seats in Parliament are not invested in them by blood, and so hereditary ; but by annexation of a barony to their office, and depending upon that office ; so that they may be deprived of their office, and thereby of their places, at the King’s pleasure.

“They do not so much as sit here *dum bene se gesserint*, as the judges now have their places granted them ; but at will and pleasure ; and therefore, as they were all excluded by Edward the First as long as he pleased, and laws were made *excluso clero*, so may they be by any King, at his pleasure in like manner.

“Antiquity is no good plea for their being legislators, because that which is by experience found to be hurtful, the longer it has done hurt, the more cause there is now to remove it, that it may do so no more. Besides, other irregularities are as ancient, which have been thought fit to be redressed ; and this is not so ancient but that it may truly be said, *non fuit sic ab initio*. Being established by law is not insuperable, for the law-makers have the same power and the same charge to alter old laws that are inconvenient, as to make new that are necessary. It can be no breach of privilege of the House ; for either estate may propose to the other, by way of bill, what they conceive to be for the public good ; and they have power, respectively, of accepting or refusing. There are two other objections which may seem to have more force, but they are capable of these answers. The one is, ‘That if we may remove bishops, the next change may be to remove barons and earls.’ But the reason is not the same ; the one, sitting by an honour invested in their blood, and hereditary, which, though it be in the King to grant alone, yet, being once granted, he cannot take away ; the other, sitting by a barony depending upon an office which may be taken away ; for if they be deprived of their office, they sit not. And their sitting is not so essential ; for laws have been, and may be made, they being all excluded ; but

it can never be showed, that ever there were laws made by the King and them, the lay-lords being excluded. The other objection is, 'That the exclusion of bishops alters the foundation of the House of Lords, and innovations which shake foundations are dangerous.' But, if there be an error in the foundation, when this shall be found, and the master-builders be met together, they ought rather to amend it, than to suffer it to run on still, to the prejudice and danger of the whole structure.

"But the presence of bishops is not fundamental to the House, for it has existed without them, and yet done all that appertains to its power, they being wholly excluded. Now that which has been done for a time at the King's pleasure, may be done with as little danger for a longer time ; and, when it appears to be fit and for public good, not only may, but ought to be done altogether by the supreme power." \*

Arguments like these are more specious than solid. There is no inconsistency in a bishop participating in an assembly providing ordinances to deter others from evil, and for their encouragement to do well. Such a function is compatible with occupations the most holy, and is, indeed, well becoming those whose particular duty it is to provide that the laws of men shall be consonant with those of the great Lawgiver of Christianity. Yet bishops may defend their legislatorial positions upon other grounds. "They have the same right to sit in Parliament," said Selden, "as the best earls and barons ; that is those that were made by writ. If you ask one of these why they sit in the House, they can only say that their fathers and grandfathers, &c., sat there before

\* Parl. Hist. II. 807.

them. And so say the bishops, He that was a bishop of this place before me, sat in the House, and he that was a bishop before him, &c. It is true the titles of the first are inheritable, whilst those of the second are not, yet that takes not away the bishop's right. The bishops were not barons because they had baronies annexed to their bishoprics, for few of them had: besides few of the temporal lords had baronies; but they are barons, because they are called by writ to the Parliament, and bishops were in the Parliament ever since there was any mention or sign of a Parliament in England. You would not have bishops meddle with temporal affairs,—think who you are that say it. If a Papist, they do in your Church; if an English Protestant, they do among you; if a Presbyterian, you allow your lay-elders should meddle with temporal affairs as well as spiritual. Besides, all jurisdiction is temporal, and in no Church but they have some jurisdiction or other.

“The question then will be reduced to majus and minus; they meddle more in one Church than in another. To take away the bishops' vote, is but the beginning to take them away; for then they can no longer be useful to the King or State.”\* If to these considerations are added the facts, that from education, experience, and profession, bishops must be among the best informed, and probably among the most virtuous of the nation; that they are less likely to be slavish admirers of the King, because they are elected for life, and their children are not heirs to the dignities they may acquire; and that if they did not sit in Parliament they might in Convocation; the most ingenious may be puzzled for an excuse

\* Table Talk :—Bishops in Parliament.



to justify their exclusion from among the councillors of the nation. Some who object to their admission among those councillors seem to forget that bishops are particularly appointed to superintend the discipline of the Church ; that its temporal welfare is another of their appropriated cares. Others seem to expect, that they should be exclusively careful in spiritual affairs ; and to think that a man dedicated to God may not so much as, when he is required, cast a glance of his eye, or some minutes of his time, or some motions of his tongue, upon the public business of his King and country. “Those,” said good Bishop Hall, (who for his virtues and eloquence has been called the English Seneca,) “that expect this from us, may as well, and upon the same reason, hold that a minister must have no family, or, if he have one, must not care for it ; yea, that he must have no body to tend, but be all spiritual. My lords, we are men of the same composition with others, and our breeding hath been accordingly. We cannot have lived in the world, but we must have seen it, and observed it too ; and our long experience and conversation, both with men and books, cannot but have put something into us for the good of others.” \*

\* Parl. Hist. II. ; Life of Selden, 228. Though we are not unfavourable to the Bishops forming a portion of the National legislature, which ought to embrace some of each class most probably indued with deliberative wisdom, yet no character is more obnoxious than a busy political prelate. Bishop Latimer had so great a distaste for this character, that he would have restricted his order entirely to their sacred duties. His words are as forcible as quaint—“Ye that be Prelates look well to your office, for right prelating is busy labouring and not lording.” Instead of attending to their duties, he continues “they are otherwise occupied, some in Kings’ matters, some of the Privy Council, some to furnish the Court, *some are Lords of the Parliament*, some are Comptrollers of the Mint. Is this their calling ? I would fain know who comptrolleth the devil at home in his parish (or diocese) while he comptrolleth the Mint ?”—*Latimer’s Fruitful Sermons*, 13. Ed. 1635.

Although the Parliament does not appear to have succeeded in obtaining any mark of honorary distinction for Sir Randall Crew, they took care that other just claims more urgent for redress should be effectually regarded. Prynne, Bastwick, and Burton, were re-called from their solitary imprisonments, “conducted into London by many hundreds of horse and foot in great pomp and defiance of justice,”\* and “thorough” means were adopted to prevent the recurrence of atrocities like those to which they had been subjected. The Courts of Star Chamber, of High Commission, of the Forests, of the Earl Marshal, of the Stannaries, of the Lord President of the North, and of the Bishops, were all abolished. They were courts in which, in degrees more or less oppressive, the judge’s discretion was the law, and they all came within the measure of that condemnation, unsparingly poured out upon one of them by Clarendon, when he said—“Such confusion has this ‘discretion’ produced, as if discretion were only one remove from rage and fury; no inconvenience, no mischief, no disgrace that the malice, or insolence, or animosity of those presiding had a mind to bring upon the people, but, through the latitude and power of this ‘discretion,’ the poor people have felt. This ‘discretion’ has been the quicksand swallowing up their property—their liberty.”†

Those iniquitous courts, those most mischievous instruments of tyranny, which allowed political and private

\* Whitelocke’s Memorials, 37. The subject was brought to the notice of the House by petitions from their respective wives and friends; as were the cases of Lilburne and Leighton, with similar success.—*Rushworth*, V. 20. They were restored to their professional positions, from which they had been degraded, and recompensed for their sufferings as far as money could recompense them. The Earl of Strafford’s children were also restored, in blood, by statute, and his lands settled for their benefit.—*Parl. Hist.* II. 828. † *Parl. Hist.* II. 828.

feeling to sharpen or to direct the sword of justice, were all swept away, though Charles lingered in giving his consent to part from two of the most powerful of them, and ineffectually sought to justify his delay by thus recapitulating the reforms to which he had previously assented, as if the removal of one evil were a justification for retaining another :—

“I hope you remember I have granted that the judges shall hold their places, *quamdiu bene se gesserint*. I have bounded the forests, not according to my right, but according to the late customs. I have established the property of the subject, as witness the free giving up, not the taking away, the Ship-money. I have established, by Act of Parliament, the property of the subject in Tonnage and Poundage ; which never was done in any of my predecessors’ times. I have granted a law for a triennial parliament ; and given way to an Act for the securing of monies advanced for the disbanding of the armies. I have given free course of justice against delinquents. I have put the laws in execution against Papists. Nay, I have given way to every thing that you have asked of me ; and, therefore, methinks, you should not wonder if, in some things, I begin to refuse : but I hope it shall not hinder your progress in your great affairs, and I will not stick upon trivial matters, to give you content.”\*

At the same time that the King thus assented to the Bills in question, he mentioned the steps he was taking in behalf of his sister, the dowager Queen of Bohemia, who still remained a widow and an exile, as noticed in

\* Parl. Hist. II. 856.

the following letter. Her son, Prince Charles, at that time the Palatine, was in London suing for aid ; but, in one of his notes to his mother, he observes, " this violence of the House of Commons for the extirpation of the bishops, root and branch, will keep back my business."\*

TO SIR FERDINANDO FAIRFAX.

MY LORD AND DEAR FATHER,

SINCE my last I have seen sometimes your son,† but he comes so seldom to the Hague I do extremely quarrel with him, for I know your lordship does allow him enough to live amongst the best company, and that would be many ways for his advantage. Those great obligations I have to your lordship make me thus free, and wish for some occasion wherein I might express the gratitude I owe you. This place affords little news : you have all with you ; may it end happily, and that kingdom flourish as it hath done ! This ought to be the prayer and wish of us all. The Prince of Orange is gone into the field, and wishes the return of those officers who are in England. I doubt not but your lordship hath seen his son, the young Prince, who begins the world with a greater fortune than could have been imagined ; but he is as good as pretty, which makes him worthy of enjoying so great a Princess.‡ I know your lordship wisheth so well to the Queen my mistress

\* Bromley's Royal Letters, 119.

† Charles Fairfax. He was then a Colonel in the service of the States, and had sailed from Hull to join his regiment in 1639.

‡ The Prince Royal of Orange, at this time in England, married a daughter of Charles the First, 2nd May, 1641.



and all her's, that you will be glad to hear of their health, and wish them more happiness than this world affords them ; but things may change, for to God there is nothing impossible. I dare not importune your lordship with idle discourse ; I know how much your mind and actions tend to doing good, and the serious affairs you have now in hand ; it will be more content to me than your lordship can imagine, that I live in the memory and favour of you and yours, and that you are all as well as is heartily wished by, my lord,

Your most humble servant and daughter,

F. LEWENSTEIN.

*Hague, the 14th of May.*

Whilst these reforms, or, as the King thought them, these encroachments on his prerogative, were in the full tide of progress, early in 1641 it became known that he purposed another visit to Scotland. We shall endeavour, presently, to elucidate the motives which led to that speedy return across the border ; but whatever they were, the mere announcement of the intention, kindled the fears and misgivings of the Parliament. The journey northwards might be for the purpose of the King's ingratiating himself with the English army, yet undisbanded, mutinous, and unpaid. Goring's plot, fresh upon their memory, did not tend to mitigate this suspicion. Or the object in view might be to obtain a similar support from the Scotch army, still remaining in quarters about Newcastle, and awaiting the payments promised by the Parliament. This appeared the most probable intention, for the King himself seemed urgent for the disbanding of the English

troops and threw no obstacle in the way of the Earl of Holland's commission, signed on the 15th of April, appointing him the general for "satisfying and dissolving the three armies."\* The English army thus would be removed, whilst that of Scotland would return unbroken until it had crossed the border.

So alarmed did the Commons become at this possibility, wearing as it did a probable front, that they made the total disbanding of all the armies the most urgent and most prominent of all necessities, or, to use their own words, "it was first to be done, and make way for all the rest."†

The House, in the same spirit of precaution, requested the Scotch commissioners to provide that their army should cross the Tees simultaneously with the disbanding of the army of England. To this the practically wise Scotchmen raised no obstacle, provided the payment of the "The Brotherly Assistance," 220,000*l.*, were previously made, or satisfactorily secured to them.‡

The fears of the House were redoubled when Pym stated that "there were divers informations given of desperate designs, both at home and abroad, against

\* The Armies of England, Scotland and Ireland. Diurnal Occurrences, 80 ; Parl. Hist. II. 711, 762. Mr. Secretary Nicholas, writing to the King, says, "Upon consideration of the great jealousies that are raised, as if there were some intentions to make use of some of the armies to the prejudice of the Parliament, and upon the apparent delay in paying off and disbanding the English army, may it not be fit for your Majesty presently to write to the Speaker of one or both Houses, taking notice of the delay, notwithstanding your Majesty hath, from time to time, by frequent speeches to both Houses, often called upon them to ease this, your kingdom, of that grievous burthen." There was no small wisdom in this suggestion ; and the King wrote on the margin of the letter, "Herein I have taken your advice ; the enclosed to the Lord Keeper being to that effect, only I would have you advertise my wife of it."—*Nicholas' Correspondence ; Evelyn's Memoirs*, II. 3.

† Ibid. II. 846.

‡ Parl. Hist. II. 850.

the Parliament and the peace of the nation ; that the persons engaged therein were under an oath of secrecy ; and that there was also an endeavour to disaffect the army, not only against the Parliament's proceedings, but to bring them up against the Parliament, to over-awe them." \* They petitioned the King, therefore, "to allow a convenient time before his journey into Scotland, that the army might be first disbanded." A wary hint, more than once repeated in the royal ear, but which the King did not condescend to regard. With all their exertions to provide the necessary money, they could not arrange for the departure of the Scotch army before the 9th of August. They again applied to the King to delay his departure for fourteen days after that date,—a space of time just sufficient for the clans to get back across the border ; but the King was obdurate, and on the 10th commenced his journey.†

The suspicion that Charles might tamper with one or other of the armies, was not the only motive which induced the Parliament to require the early disbanding of the armies. This motive was sufficiently urgent when they found that those whom they hoped to have as servants and assistants, were in some danger of becoming their masters and oppressors ; but another incentive to the speedy breaking up of such dangerous instruments arose from their mutinies and maraudings,—conduct which may be best narrated, with other particulars, by the following letters :—

\* Parl. Hist. II. 776.

† Ibid. 900.

TO THE LORD FAIRFAX, AT THE SARACEN'S HEAD, IN  
KING'S STREET, WESTMINSTER, PRESENT.

RIGHT HONOURABLE,

I AM to return your lordship humble thanks for your frequent remembrances of me, that can no ways correspond with your lordship but in affection, though this dull letter is a defect at this time, indeed more than usual, and may make them questionable. I have sent your lordship a rude draught of your quarterings, which your workman may conceive, at least by the subscription. The escutcheons in the church are placed in that position, that the want of one, besides the liberty to others of removing more would have made a breach, and blemished the rest. Upon Christmas eve was brought into the parish of Tewston, Captain Langley's company, heretofore billeted about Harrogate, but now unequally dispersed in that parish. They had no good report before they came, yet I hear not of any great enormity since their coming, though they be many weeks behind with their pay, for which they have their captain (a man of ill government, still at Harrogate) in suspicion. The lieutenant, Captain Rouse, a complete gentleman, who has served as major at the Isle of Rhè, has a special care and vigilant eye on them. It is much to be feared we shall have ill neighbours in them, and when their landlords' provisions fail them, that they will cater for themselves. Captain Hartly will inform your lordship of a rescue attempted at Baildon, by three or four pressed soldiers, of whose company I know not. Two blue coats of your lordship's regiment being special



bailiffs, kept still their prisoner, and dismissed their opposers with a broken sword. Our wise constables threaten the inhabitants with the sessions, if they refuse to billet the soldiers and their wives, though some confess with a loathsome disease.

Some of our substantial freeholders intend to wait on your lordship to see if that can be effected in Parliament, which you have so often, not without some fruit, attempted for their ease of attendance at the assizes and sessions;\* and to see what can be done about such a project as the late Lord Savile begun concerning tenures *in capite*, of lands of mean value, &c. My wife presents her service to your lordship, and with her,

Your lordship's ever affectionate brother  
to serve you,

C. FAIRFAX.

*Menston, this 6th of Jan., 1640. (N. S. 1641.)*

\* The petition of the "Substantial Freeholders" was as follows :—

"It may please you, Good Sir :—The poor Freeholders of Yorkshire humbly sheweth ; that whereas many of them being very old and impotent of body, unfit for the service at the assizes at York, dwelling far off ; others being very poor, not having over an oxgang of land to maintain themselves and family ; all which are forced to appear and give their attendance at York, where, notwithstanding that they both pay two shillings every assize for the recording of their appearance, and that they have served, yet, nevertheless, they are many times fined thirty shillings at a time for their not appearance ; the officers and bailiffs well knowing that the pleading of such a cause will cost them more than the fine, which is a great inconvenience and trouble to the whole country. In regard whereof they humbly desire it would please your Good Worship to make some motion in Parliament for the redressing of this great abuse, that such as be above three-score and three, or impotent, or not of sufficient living, may be freed from that service ; and that the bailiff may give warning to such as are returned of any jury, or otherwise, as shall seem good to your grave and good discretions. And the whole country shall be bound to pray to God for your long life and happiness."

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD,  
THE LORD FAIRFAX, BARON OF CAMERON.

RIGHT HONOURABLE AND MY MOST NOBLE LORD,

SINCE I writ last to your lordship by Mr. Henry Giffard, sundry reports have brought to us, who at a great distance are spectators of the parliamentary proceedings, the happy news of a Triennial Parliament, obtained by the provident and constant pursuit of both Houses, which you will easily believe is welcomed by all the well-affected with no less joy than the confirmation of the Great Charter hath heretofore been received by the oppressed subjects, when the princes then reigning over them have governed not by law, but according to their own fancies, or their flattering favourites' malevolent affections. It was a noble and a great work, and in all probability will effect, that both the purity of the Gospel, and the justice of the law, shall flourish. For which great blessings, as we do all owe thanks to Almighty God as the supreme actor in an act so excellent; so likewise the subjects in general, we and our posterities, are all engaged, to every member of that assembly which laboured in the achievement, to erect statues, or monuments of gratitude, such as the ancient Romans were accustomed to design unto those worthies, who had either delivered their country from bondage, or enlarged their empire.

I know the work of that House is not yet at an end; there are yet many good ordinancies abused, that must be explained, and many general evils that must be taken away, and many grieved subjects, whose

particular wrongs must be redressed ; and amongst these, the least is not the abuse of the soldiery, under which burthen this part of Yorkshire now groans, and cannot long subsist without ruin. It is true that if money were constantly paid them every week, the sufferance and wrong would be unto many less sensible, though the oppression and injury be still the same, for the want of pay is most grievous to the country, who are forced to credit the soldier with all necessaries, and trust to the King and Parliament for their payment in the end.

But the insolency of the soldiers is such, as they do not only abusively use all persons whatsoever, and beat, affront, and vilify them ; but also by stealth, and by open force and robbery, they take all men's goods, and consume them as they please, or sell them and spend the money in lewdness ; and if any resistance be made, the parties resisting have ill language and blows, and always greater mischiefs attempted on them. And if complaint be made to the commanders, sometimes, but rarely, they imprison the offenders, but never make restitution of the goods taken, nor recompence for them ; and the complainers have sometimes been beaten, sometimes neglected, and sometimes for recompences threatened to have soldiers laid upon them ; so that partly through the imperious carriage of the captains, and partly for fear of the soldiers' revenges, which they ever threaten, and assuredly execute upon complainers, no man, in a manner, dares now complain, nor resist the soldiers doing him wrong. And for searching for stolen goods, no man dare attempt it ; for the soldiers beat both constables and proprietors that offer to

search. The insolencies and oppressions are so infinite, and of such several kinds, that to relate them would rather seem a volume than a letter ; and the cause of them all, as I conceive, is not want of pay, as they pretend, but want of discipline ; the soldiers being suffered to range all over the country without control, and being never called to give any account of their wanderings. I do not think that any of this regiment about Knaresborough have been exercised these eleven weeks ; so that we must raise subsidies to pay them, and yet they spoil us !

Methinks it were not unfit to move in Parliament, that the hosts in the country should be paid for their billet, and that speedily, for they have trusted till they have not means to give further credit. But before either commander or soldier be paid the rest of their entertainment, it seemeth reasonable that there should be examination, what wrong and spoil hath been done to the civil subject by them, and by what encouragement, sufferance, or occasion, it hath been done ; and, thereupon, some reasonable reparation made to every man according to the proportion of his losses, and that to be done out of the remainder of their pay. It would be an act of great justice becoming that House ; and it would both beget confidence in the subject of reformation, and also terror in those that hereafter had any desire to offend in the like kind. But this and all other my conceptions I submit to your lordship's more grave and judicious consideration ; yet with all this confidence, that your lordship and the rest of your worthy assistants of this country will advise of some way to send comfort to your oppressed neighbours ; and I, with the rest,



shall be obliged, as I myself am howsoever, to wish much increase of honour and all happiness to your lordship, and remain,

Your lordship's most affectionate  
and faithful servant,

THOMAS STOCKDALE.

*5th March, 1640. (N.S. 1641.)*

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD THE  
LORD FAIRFAX, BARON OF CAMERON, WESTMINSTER.

RIGHT NOBLE LORD,

SINCE my last letter to your lordship by Mr. Mauleverer we met about the taxing of the two first subsidies in the wapentake of Claro, which was done upon the 21st of April. Sooner we could not do it, the commission came so late ; and the commission for the other two subsidies is not yet come. Your lordship is cessed at 25*l.* lands, which is more than any one man in this division ; yet there were divers former estreats of subsidies produced, showing that my lord, your father, was cessed at 100 marks. But to answer that, I showed the clause in the Act for the subsidies granted 4 Caroli, wherein that charge was expressly imposed, and that in this Act, 16 Caroli, it was left out ; so it was thought reasonable to reduce it to 25*l.*, and in my opinion that is too much, if due consideration be taken of the charge your lordship undergoes in other ways for your country. We named one Mr. Ewynes, of Fountains', to be head collector, but he hath procured certificate of his disability in health to undergo the employment ; so we have now named one Richard Ulythorne, of Stainley,

who should this day appear to give recognisance for his collection. I conceive these two subsidies will not altogether amount to so much as the two last did in this division, which I thought might have been advanced again to the former height, by the double cess and poll-money of the recusants ; but now I find that the recusants, knowing the burthen by the former double impositions in the same kind, do cunningly avoid it ; in some places by procuring others to be named subsidy-men, (being conformable, or at least not convict), and they themselves to be contributors or bearers with them underhand. And in other places they get advantage by want of certificate made to the commissioners of their conviction ; for we have no schedules nor certificates at all from the Clerks of the Assizes, according to the intention of the Act, and we have but lame certificates or none from divers of the Ministry. Indeed I think a man with industry might prevent them and advance the subsidies both upon the recusants and others ; but I cannot see when it is advanced, that any other profit could accrue to the service, but only to increase the burthen of our particular division to the visible impoverishment thereof, and an insensible ease or advantage to the other parts of the kingdom. And besides, I perceive the Lords rise nothing in their subsidy, but rather go less, though they have drawn from the Commons a great number of their most able subsidy-men ; so that if we rise, losing our bearers, and they increase not their burthen, having our best men added to them, we shall in time cast the most part of the charge upon the Commons, and little or nothing in comparison upon the Peerage.

Yesterday I gave meeting to Mr. John Mallory, Mr. Robert Stapleton, and Mr. Arthur Aldbrough, to digest certain motives to be presented in petition to the Parliament for easing of our country in the paying of any more subsidies than these two first, which are already assessed. They are to take the consent and subscriptions of the gentlemen of the North Riding to the petition ; and this day I shall propound it to Sir Henry Goodrick and the rest that meet at Knaresborough upon the services now in hand. There is great reason to grant us exemption ; but if our request be encountered with prejudicated sense in the major part of the House, then we lose both our hopes and labour.

In my letter by Mr. Mauleverer I gave your lordship a touch of the present inclination of the soldiery now lying in this county : they continue still much after the same manner, neither unquiet, nor well resolved to be content with peace. Yet every day their affection to the Lord Stafford's deliverance and safety doth appear most evidently ; and it is the more remarkable, because it is not many months since, he was scarcely beloved or valued by any of them. The general opinion in these parts is, that he will escape the censure of treason ; but I am persuaded that the House will not think it stands with their reputation, to fail in an action so much concerning the public, and themselves also in particular, if he should escape, who is known to be of a vindictive nature. I must here conclude, most affectionately wishing your lordship health and increase of honour, and shall ever rest your lordship's

Faithfully devoted servant,

THOS. STOCKDALE.

30th April, 1641.

TO THE RIGHT HONOURABLE MY ESPECIAL GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

THE long desired calm of peace in these parts begins now at length to appear. Three of the regiments, that is, Glenham's, Vavasour's, and Wentworth's, are now disbanded, and some more are said shall disband this week. What rule or order is held in it I do not hear, for the Marquis Hamilton's regiment doth not disband, as they say, until the next week; and yet it was once ordered to be sent away with the first. The soldiers begin now to be better ordered; for the death of the man who was slain at the rout in Ollerton Park, the last week, hath a little abated their violent courses; and I hope whilst they stay in these parts, the country shall receive less offence by them.

The armies once disbanded, then we shall hope the Parliament will adjourn, and your lordship return to the country for a season. We only doubt here, that the business touching the bishops, on which the House has fallen, may either cause division of the Houses, or at least delay the speedy progress to other necessary matters: and to me it seems very strange, that the taking them away should be so much insisted upon by the negative party; for it cannot but be well known and understood by them all, that our bishops were in Queen Elizabeth's time constituted and confirmed by Parliament, and therefore may, by the same power, be demolished; and the like or the same policy, with convenient limitations, again established for the government of the Church. The



Acts already passed the last week, and before in this Parliament, will so settle the civil government in a fixed and steady course as will not easily admit oppression,\* and I doubt not, but such a way in the ecclesiastical policy will be resolved on by general agreement, as will repel the innovations lately endeavoured to be introduced, both into the foundation and superstructure of religion. For which great happiness as we have special cause to bless God, the author of it, so we have not a little reason, all of us, to honour those worthy persons who have been instruments of so great good unto us ; and amongst the rest I am in particular obligation tied to wish increase of health and all happiness to your lordship, and to remain

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

12th July, 1641.

The fear expressed by Mr. Stockdale, that the Bill for the Abolition of Episcopal power, which we have already noticed, might cause a fatal disunion in the Parliament, was not ill-founded. The committee to which it was referred and of which Mr. Hyde was a member, became by his management, such a scene of confusion and of conflicting decisions, that Sir Arthur Haslerigg openly declared "he would never, hereafter, put an enemy into the chair," and the bill was abandoned until after the Civil War had actually broken out.

\* The Acts referred to are probably those passed for the abolition of the Star Chamber and High Commission Court. They received the King's assent, after "taking some fit time to consider of them," on the 5th of July.

During this time five regiments had been ordered to disband, the money being provided to satisfy their arrears, and the Earl of Holland proceeded with his newly-furnished power to superintend the disarming. From the following letter it appears that he had then reached York, and had entered upon what he justly observed "might be irksome to some who delight in action, but for his own part he had rather see those armies (the English and Scotch) turn their backs one to another than their faces, for the quiet of the kingdom."

The course of proceeding appears in the following letter.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

UPON Tuesday last, at night, there came directions from my Lord Holland, Lord General, that we who were appointed by the Parliament to examine the billet of the soldiers, should repair to his lordship at York, to inform him of the state of that business, and the cause why we joined not with the commanders in making up that account. According to those directions, Mr. Ingleby, Mr. Marwood, and I, attended his lordship on Wednesday afternoon; and his lordship having called Sir Jacob Astley, Lieutenant Colonel Fielding, and us together, declared his noble and fair intentions to have the business evenly carried betwixt the country and the soldiers. Sir Jacob Astley laid the blame on us, that had not called the captains to join with us,

alleging that he and Sir John Conyers had by letter to us prescribed that way.\* To which we replied, and made apparent, that none of us had ever, until that very morning, seen that letter, though dated June 12th; and that we, conceiving it very convenient, had by letter desired him, if he thought it necessary, to give order to have the captains join with us. To which point of our letter, he returned us answer, that he and Sir John Conyers had formerly writ a general letter to all the Commissioners, which letter he supposed we had seen, and therefore he needed not answer that particular. Upon which uncertain answer of his, we said—we were constrained alone, without the captains, to certify such billets as the country people brought to us; and we verily believed that we had done no wrong to the soldiery in our certificate.

After some interchanges of speeches, Lieutenant Colonel Fielding said to my Lord General, that he doubted not but to rectify all the differences in the billets with us, without further troubling his lordship. And thereupon we appointed to meet the next morning; but when we met, he only produced new accounts, made

\* Sir Jacob Astley, who was so brave and able a commander in the civil strife of this period, was “an honest, brave, plain man,”—“purely a soldier, and of a most loyal heart.” At different times of the war he was Field Marshal, and Serjeant-Major General of the King’s army, Lieutenant General of the forces in some of the western counties, and Governor of Oxford and Reading. Charles raised him to the Peerage as Lord Astley, Baron Reading. He died in 1651.—*Clarendon; Sir P. Warwick.*

Sir John Conyers is mentioned by Clarendon as “a soldier of very good estimation,” and we may believe this character, since even Sir Jacob Astley wished to have him by his side rather than in his distant governorship of Berwick. The Parliament hoped to win him from the King by obtaining his appointment to the Lieutenancy of the Tower, but he remained unshaken in his loyalty, and was soon removed. He appears to have been killed in 1644, during a skirmish, near Chester.

up in every constabulary within the quarter of that regiment, for six months, ending the 20th of July: unto which he said the parties had all agreed; and he desired us only to subscribe them, as allowed by us, that he might deliver them to Mr. Bradley, the paymaster, to stop so much out of every company's entertainment. Yet he declared to us that the paymaster would receive them without our hands unto them. And likewise, when we demanded transcripts of the accounts, to regulate the distribution of the monies when the country should receive it, he said he had no transcripts to deliver to us. Therefore, we thought it not fit to sign them, seeing we were not present nor called to the making of them; and if there were any just demands of the country left out (which we had good cause to suspect) we were not willing to countenance the wrong with our subscription.

This was all the effect our journey produced. Yet we have sent directions to all the constabularies to bring us their billets on Monday next, for all their demands to the 20th of July; and if we find anything wherein we can preserve the country from damage, we shall willingly contribute our pains for the common good. And, howsoever, those billets they shall bring unto us will serve to guide the distribution of the monies, when it comes to be paid in every village. On Tuesday, the 20th of July, Marquis Hamilton's regiment, and Colonel Fielding's regiment, do both disband; and proclamation is ordered to be made, that if any person claim any just debt of any captain or officer, that he repair to the colonel or lieutenant-colonel, who will satisfy them. We expected that this last month, since the 22nd of June,



should have been paid in ready money by the soldiers to their hosts ; but Mr. Lucas, the Lord General's secretary, told us, that my lord feared want of money in conclusion to disband the army, and therefore durst not adventure to issue the full pay, but rather leave the country to be paid by the Parliament's order altogether. These passages I thought convenient to make known to your lordship, to the end that, if there be any occasion, your lordship may take notice of them. The rest presents my dearest observances to your lordship, and I am,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*July 16th, 1641.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD  
FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

I do still study to find out some pretence of business to countenance the address of my observances towards your lordship, which do interpose themselves amongst more serious affairs. Upon Tuesday last, the Lord Marquis Hamilton's regiment disbanded, and are all gone homewards. The continual spoils and thefts they committed all over the country where they quartered, occasions much joy amongst the country people when they were rid of them ; for whilst they were amongst them, they did so overawe the civil subject, as they durst not complain of their sufferings. The commanders have made up new accounts for the soldiers' billet-money ; and in some places have in a manner constrained a consent of the people to them, although

the accounts come far short of their just demands. Those moneys due to the country, are or should have been all left in the paymaster's hands. But Mr. Bradley, the paymaster, showed me his notes, by which I recollect that divers of the captains have gotten into their hands much of the country's moneys. And I hear, that divers of the captains and officers have left their credits in their quarters undischarged, of which I cannot yet make an exact certificate to your lordship, because the country have not yet in all places brought us in their new billets. But I send your lordship enclosed a note of such collections as I can make for the present, which will in part show the errors that have happened in that business.

I have writ to Lieutenant Colonel Fielding of them, who peradventure will order some way of redress ; if not, the country's money must be stopped out of the captains half-pay which is still due to them, and intended to be paid the next November.

Yesterday good Sir Henry Goodrick left us ; he hath been sick about three weeks. His disease, by the symptoms, seemed to be the stone, of which he rather languished than suffered any extreme fit. But the nauseousness of his stomach would not admit of meat, which wanting, his spirits wasted ; so yesterday, about two o'clock afternoon he died, at the loss of whom I am not a little grieved, for I have found him very nobly respective to me, and upright in all his intentions, so far as I could observe. I am now going to attend his burial.

The Earl of Holland was at the Spa (Harrogate) on Tuesday last, but it seems he likes not the waters,

for I do not hear any certainty that he comes to lie here, as once it was expected. The Lord Fauconberg, and much other company, both of the gentry of the country and of the commanders reformadoes, are now at the Spa.

I hope the Parliament will now very shortly adjourn, and give your lordship liberty to take breath in the country, where amongst many others I shall not be the least joyful to see you. In the mean time, I wish much increase of health and honour to your lordship, and am,

Your lordship's most faithfully devoted servant,

THOMAS STOCKDALE.

*23d July, 1641.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, AT HIS LODGING IN THE PALACE YARD, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

I DO here inclosed send an abstract of the billet-money for Marquis Hamilton's regiment only, from their first coming to the time they disbanded, in which I am confident there is no error, howsoever it may differ from Sir William Uvedale's account. For the truth is, he paid that regiment upon such reckonings of billet as were brought to him by the captains, without certificates or allowance of the county-commissioners, and in some places without acquainting the constables where they lay, though they caused the constable's name to be subscribed, as it hath been since avouched to me. But we have the captains' hands to testify that thus

much is due to the county, except in some few places where the captains did not make accounts with the people, but framed the account themselves as they pleased ; and here we have other sufficient proof : and divers of the differences between Sir William Uvedale's account and this sent to me, happened through the paymaster's oversight, of which I showed Mr. Bradley. The other regiments which lay in Claro (as the Earl of Newport's, and Colonel Ogle's) had their account made up by Mr. Aldbrough and Mr. Duncombe, Mr. Norton and the Mayor of Ripon, the 20th of July, when they disbanded ; yet in June some part of them brought their billets to us, and those are truly certified to the 20th of June, as by our certificate then sent to your lordship will appear ; but when they disbanded, Mr. Aldbrough and others took upon them to certify their accounts, which I had no reason to intrude myself into, seeing they desired me not ; for I did offer myself both to Mr. Norton and Mr. Aldbrough. And for some part of the train of artillery, and some part of the horse in Claro, to the 20th of June, and the fourteen days' billet in summer, 1640, we made certificate of it in June last, which I think is true, without contradiction. I suppose your lordship and Mr. Bellasis sent those certificates to the auditors ; yet if you think them needful, I shall transcribe them, and send them to your lordship again.

Touching the misdemeanors of William Derelove in his office, I have this day sent to Sir William Constable certain heads or particulars, with some names of witnesses, to prove each abuse, and also the relation which Foster, the bailiff, is able to charge him with ;



and I have desired him to send them to your lordship, because I have not leisure at this instant to transcribe them. And though John Derelove (who is found faulty by the Parliament for abuse touching Henry Benson's protections) be not the new-elected burgess, as it was conceived, yet that John Derelove is the man, who, being substituted bailiff by his brother William Derelove at the time of the election, did return his brother ; and I think he is no fit man for a judicial place whose honesty is blemished before the Parliament, and whose ability or capacity is questionable, being under twenty-one years old. It seems now that other men think Derelove's election cannot stand ; for yesterday Mr. Thomas Moore, the feodary, told me that one Mr. William Middleton, who hath some estate in Ripon, but lies in the south for the most part, told him that very day, that Derelove was to be turned out of the House, and that Mr. Bryan Palmes intended to stand to be burgess for Knaresborough, and that Mr. Palmes had writ to Sir Francis Trapps to make way for him ; and I suppose that Harry Benson will side with that party.

So your lordship sees plainly there is a kind of necessity either to draw in Sir William Constable upon the election we have already made, or delay the new election till Derelove, for his misdemeanors, be cast out of the bailiff's place, unless you desire to have Mr. Palmes brought in. The rest of these lines present my due observances to your lordship ; and I am,

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

“THE BRIEF OF THE BILLET-MONEY MENTIONED IN THE  
FOREGOING LETTER.

“Brief collections touching the billet-money due in the Wapentake of Claro, in the West Riding of the county of York, for the Lord Marquis Hamilton’s regiment, for six months ended 20th July, 1641, when they disbanded ; as the state of the accounts now appear being not yet fully perfected, namely—

For the Lord Marquis Hamilton’s regiment.	£	s.	d.
The country hath not brought us in as yet any certain account other than for five months, which was about . . . . .	530	0	0
The paymaster upon an account given into him by Captain Treswell, hath defaulted for the country for six months . . . . .	584	7	1
Lieutenant Colonel Fielding’s company.			
The country hath brought us in account by which they challenge to be due to them . . . . .	114	0	0
But the commanders do not agree to it, so they are about to make a new account more perfect. The paymaster upon accounts given to him by the officer of that company hath defaulted for the country .	93	15	0
Sergeant Major Berries company.			
The country’s account signed by the officers of that company amount to . . . . .	345	11	11
Which is defaulted by the paymaster for the country.			
Captain Dawson’s company.			
The country’s accounts signed by the captains’ amount to . . . . .	265	15	4
The paymaster hath defaulted from him for the country no more but . . . . .	220	6	2
Captain Monnyn’s company.			
The country’s accounts signed by the captain amount to . . . . .	287	1	6

The paymaster defaults from him for the country,	£	s.	d.
no more but . . . . .	242	14	8
Captain Smyth's company.			
The country demands . . . . .	268	2	9
Which is defaulted by the paymaster.			
Captain Payn's company.			
The country demands . . . . .	268	2	3
Which is defaulted by the paymaster.			
Captain Langley's company.			
The country hath not yet brought in their accounts, but I hear there is more due unto them than the paymaster hath defaulted, which is . . . . .			
	268	11	3
Captain Walthall's company.			
The country demands by account signed by the captain . . . . .	188	16	5
And they demand also, which the captain con- fesseth is due to one Walker for billet-money . . . . .			
	8	0	0
Of which there is defaulted by the paymaster . . . . .			
	188	16	5
Captain Bosomne's company.			
The country demands by accounts signed by the captain . . . . .	287	3	1
The paymaster defaults for it . . . . .	283	3	1
Captain Green's company.			
The country demands . . . . .	239	16	2
Which the paymaster hath defaulted.			
Captain Watson's company.			
The country demands by accounts signed by the captain and his officers . . . . .	315	2	3
The paymaster hath defaulted only . . . . .	266	4	10
Captain St. John's company.			
The country demands by accounts signed by the captain . . . . .	247	5	0
The paymaster deducts only . . . . .	238	18	2

“By these particulars your lordship will perceive, that the captains have gotten much of the country moneys into their hands, which if the Lieutenant Colonel do

not cause them to repay, then order must be given to stop so much out of the captains' personal entertainment for the three months, yet resting unpaid to them; but I cannot yet set down either certain sum to the country's demands; nor to the errors of the defalcations: the next week I think we shall make it more certain; and Mr. Ingleby and I shall both join in rectifying it."

In the present days of systematic taxation, and after such a long familiarity with its pressure, its annoyance, and its productiveness, it is difficult to comprehend the exertions, the delays, and the contrivances to which the Parliament in 1641 was compelled to submit before they could obtain the monies requisite for satisfying the Scotch Commissioners, the two armies, and the arrears due to those on whom they had been billeted.

A private subscription was actually raised, to which the Peers contributed 5,000*l.*, for the purpose of quieting the soldiers by the month's pay, noticed by Mr. Stockdale, but it was necessary to send with it an intimation that money would soon be speedily forwarded for discharging the entire balance due.\*

In the December of 1640, two subsidies were ordered to be levied "for the relief of the King's army and the Northern Counties;" two more subsidies for the general service of the State; and during the May following a further sum of 400,000*l.*, was ordered to be raised "for the great and pressing affairs of the kingdom." This being found insufficient, Tonnage and Poundage was ordered to be levied, together with "other sums payable

\* Parl. Hist. X. 303.



upon merchandise imported and exported." A proposition was made, but rejected, for rendering Spanish money current, to avoid the delay of its re-coinage.\*

It is amusing to observe, accustomed as we now are to a National Debt of eight hundred millions, the perturbation of the House of Commons, occasioned by the following Balance Sheet of the National Finances. The examination of "these great sums" had been confided to a special committee, and the chairman of this committee, the member for Beverley, Sir John Hotham, reported thus :—

"The Parliament undertook to pay the Army and Garrisons upon 10th of November last, which, to the 29th of June, is

Eight months and seven days . . . . .	£412,050
For disbanding, a month's pay . . . . .	50,000
	<hr/>
	462,050
The King's army hath had of this . . . . .	150,000
	<hr/>
Remains due to the King's army . . . . .	312,050
	<hr/>

\* Among the Fairfax MSS. is the following note of one day's Parliamentary proceedings, connected with these and other contemporary matters :—

"Tuesday, the 19th of January, 1640 (N.S. 1641.) The last week, one of the Scottish demands was read to the House of Commons, the total of which (besides what they are willing to bear themselves) is five hundred and fourteen thousand, one hundred twenty-eight pounds, and nine shillings, for damages and losses which they desire may be raised out of the incendiaries—the Bishops and Recusants. This day was appointed by the House of Commons to take the same into consideration. They have now sat almost all the day, about the charge to make good the accusation of High Treason against the late Lord Keeper,—was by the House of Commons delivered to the Lords last week, and by that, it is collected, that the charge against the six Judges in question will be much of the same nature, but the same is not yet resolved upon. There is three-score thousand pound in providing to send down for the relief of the King's army. The business about the Court of York is put off for a time."

The Treaty, from which time we pay the Scots, begun October 16th, which, to 29th June, is 8 months and 24 days . . . . .		£216,750
For Shipping . . . . .		4,000
Total due to the Scots is . . . . .		220,750
The Scots have had . . . . .		105,000
Remains due to them, Shipping and Pay . . . . .		115,750
Due to the King's army, <i>à contra</i> . . . . .		312,050
Total due to the King's army and the Scots . . . . .		427,800
To the Scots must presently be paid of the Brotherly Assistance Money . . . . .		80,000
And there must be, within fifteen days, in Yorkshire, else the sum will every day increase . . . . .		507,800
		587,800
To pay this great sum we yet but know of—		
From the old Customers . . . . .		100,000
From the new Customers . . . . .		15,000
From the City . . . . .		40,000
And a month hence from the old Customers . . . . .		50,000
		205,000
So that all the money we have yet in view being gone, we are to provide . . . . .		382,800
If the country trust the Billet, and the Officers, from a Captain upwards, be at half-pay, it is thought it will amount to . . . . .		60,000
Which taken out of the sum, will rest . . . . .		322,800

For the money provided by Subsidies, and otherwise, the

State is conceived to be thus :—

Upon the first six Subsidies . . . . .	£300,000
Upon the last . . . . .	400,000
Upon the old Customers . . . . .	150,000
Upon the new . . . . .	15,000
<hr/>	
Total is . . . . .	865,000
The two armies have already had . . . . .	255,000
<hr/>	
Remains . . . . .	£610,000

There was owing to the Scots, besides this, £220,000, for which security must be given them.\*

This announcement absolutely struck terror into the members assembled; the prospect of national bankruptcy, and a vision of mutinous troops advancing upon the metropolis, made them almost frantically active. More than half a million to be paid within fifteen days was a difficulty which required the aid of the entire monied interest of London. An order was therefore forthwith passed, "That all the merchant-adventurers in town should have notice to attend the committee for raising money, in order to borrow so much of them as would serve the present occasions, at 10 per cent. interest."

This panic was a rare harvest for the gentlemen of Lombard Street, but the Rothschilds of that period knew then, as well as now, how to deal when "the money-market became tight." It was found that no sacrifice could be too great to enable them to escape rapidly from their terms of accommodation with the Scotch, and even the obnoxious impost of a Poll and Income Cess combined was proposed and adopted for the purpose.

\* Parl. Hist. II. 841.

In these days of inequitably levied Income Tax, it is not without interest to know how our forefathers parcelled out the infliction. It was resolved, with some minor modifications, that every

English or Irish Duke should pay . . . . .	£100	0
„ Marquis . . . . .	80	0
„ Earl . . . . .	60	0
„ Viscount . . . . .	50	0
„ Baron . . . . .	40	0
Baronets and Knights of the Bath . . . . .	30	0
Knights . . . . .	20	0
Esquires . . . . .	10	0
Gentlemen that have 100 <i>l.</i> per annum . . . . .	5	0
Every Bishop . . . . .	60	0
Every Dean . . . . .	40	0
Canon Resident . . . . .	20	0
Archdeacons . . . . .	15	0
Chancellors and Commissaries . . . . .	15	0
Prebendary . . . . .	10	0
Every Parson, whose living is 100 <i>l.</i> per annum . . . . .	5	0
Lord Mayor of London . . . . .	40	0
Aldermen . . . . .	20	0
Aldermen's Deputies . . . . .	15	0
Common Councilmen . . . . .	5	0
Master and Wardens of the twelve Companies . . . . .	10	0
Every one of the Livery thereof . . . . .	5	0
Master and Wardens of the other Companies, and such as have fined for Master or Warden . . . . .	5	0
Every one of the Livery . . . . .	2	10
Every Freeman of the twelve Companies . . . . .	1	0
Every Freeman of the other Companies, except Porter and Waterman . . . . .	0	10
Every Merchant Stranger being a Knight . . . . .	40	0
_____ at Sea . . . . .	10	0
_____ at Land . . . . .	5	0
English Merchants at Land, not free . . . . .	5	0



Factors . . . . .	£ 2 0
Handicrafts-men, Strangers, per poll . . . . .	0 2
If Housekeepers . . . . .	0 4
Sergeants at Law . . . . .	20 0
King's Sergeants . . . . .	25 0
King, Queen, and Prince's Counsel . . . . .	20 0
Doctors of Law and Physic . . . . .	10 0
If Papists . . . . .	20 0
Every Man of 100 <i>l</i> . . . . .	5 0
Every Man of 50 <i>l</i> . per annum . . . . .	2 0
Every one that can dispend 20 <i>l</i> . per annum . . . . .	0 5

All other persons above sixteen, (such as receive alms only excepted,) to pay sixpence per head. Recusants double in all.\*

Allusions to these various details of "the ways and means," and of the proceedings rendered necessary for supplying the latter, have been noticed in some of Mr. Stockdale's letters, and others will be found in those which follow :—

TO THE RIGHT HONOURABLE AND MY MOST NOBLE LORD  
THE LORD FAIRFAX OF WESTMINSTER.

MY LORD,

YOUR lordship's letters, which Mr. Clapham sent me on Monday last, surprised me with unexpected joys ; first in giving me the wished testimony of your lordship's welfare ; and next, that I live in your lordship's noble thoughts, and in that degree, to be worthy to receive your commands. For the excellency of your lordship's merit doth not only engage me with the rest of this country in a general bond of observation, but your special favours bestowed on me and mine, do oblige me and them in more particular devotions to your lordship

\* Parl. Hist. II. 842.

and all your noble family ; and therefore your lordship may rest assured that I shall, both with diligence and cheerfulness, attend whatsoever you shall be pleased to give me in charge. That which your lordship recommends to me touching your own particular, doth appear to be most reasonable, being compared with others of most eminent estates, seeing the Act now passing doth not burthen your honour, as the former did.\* And I am persuaded the rest will be of the same opinion, wherein I shall give your lordship more exact account hereafter.

I understand every day by continual advertisement and general report, that the great council, where your lordship now assists, proceed with a noble resolution and constancy in the vindicating of their country's liberty, lately most dangerously wounded and even at the last gasp of life by the treachery of her judges, who being fathers of the law, ought to have been her protectors. I know you will find too many other great persons who have been favourers and furtherers of these violations of law and liberty, and that many have been sharers in the profit, who do all of them deserve heavy fines and other brands of ignominy. But if all the judges escape with life, and none of them suffer *ultima supplicia*, I fear your clemency will be more memorable than your justice in that case.

In one of the grievances of the kingdom (the Ship-money) I was a sufferer both in matter and manner ; but it was in Sir John Hotham's sheriffwick ; against whose rigorous and undue proceedings although I have just cause of complaint, nevertheless, observing him

\* Subsidy Act, 23rd December, 1640.

now a zealous patriot of his country, both in point of religion and liberty, the edge of my quarrel to him-wards is abated. Yet methinks the head constable, Hardcastle, in whom I know no virtue, unless it be his drinking, that can merit favour, were now fit to be questioned for his most disorderly and exorbitant behaviour in that disservice of the King's. For, besides mine and many other particular men's cases, to whom his office, and the strictness of warrants in that business, did enable him to do wrong, he did apparently break all customs and rules settled for ordering and proportioning the charges that are laid upon the country, taking off part of the burthen where he favoured, and laying double the proportion in other places where he disaffected, which is a tacit argument of corruption, and howsoever, an insufferable sauciness in an inferior officer. But for my own part, I shall sit down with patience of the wrong, if other men of more judgment and greater interest in the country, be content to pass it by.

For the letters of intelligence from the party (Derelove) your lordship writes of, there hath been much speech here, and a copy of one of them was procured and sent up to the House, and put into the Speaker's hand. His son is now lately come down, and saith his father is cleared of the crime, by the testimony of some good friends in the House, which it seems is not fully so. I have seen two or three of them he sent to my neighbour you mention; and I have one which he writ to myself: and truly, in my own opinion, they contain nothing more than one friend may lawfully impart to another; unless it be crime to write to a recusant. Yet there may be more than is discovered to me, and therefore I will have both open

ears and eyes that way, and if I find anything material your lordship shall speedily hear from me. The neighbours vent suspicious language of his affection to that faction, and my imagination tells me something is not right ; but unless the wrong can be made apparent, it is vain to question it.

I fear my many and impertinent lines have tired your lordship with reading, yet I must usurp your patience to tell you, that I hope to wait upon your lordship at London, as soon as I can get my wife and children home, who are still in Lancashire, where they stay until the ways mend, and the weather grow warm ; and now I conclude, wishing to your lordship much increase of honour, and all other happiness, your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*28th January, 1640. (N.S. 1641.)*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

YESTERDAY I received from Mr. Robert Benson a printed order made in Parliament dated 29th November, and with it the printed form of a certificate touching the poll-money which the order directs to be made. But in the order there are no express directions that the commissioners should make a review, or new assessment of any person ; although they shall conceive that they were formerly underrated in the taxation of the poll-money. And your lordship knows that the commissioners of this Wapentake of Claro, have already taxed, collected, and paid all the poll-money, as it was



first assessed, and we have acquittances from the sheriff for it all, unless it be some very small sum in Ripon, which I think Mr. Ingilby hath by this time gotten and paid over to the last sheriff. Now, seeing there is a new order made which seems to import a review of the work, I desire [your lordship to explicate the sense of the House in these two points: first, whether it be intended that we who are the commissioners should meet again, and call the country together to make a new assessment or tax, where the former is defective, (for which there is no warrant expressed in the order, as I conceive it); or whether the commissioners only are to meet, and make such a certificate as is ordered by the House, of which the model is sent us in print to guide us in the work: secondly, when such a certificate is made up, I desire your lordship to instruct me, to whom it is to be sent; whether to some special persons or committees appointed there to receive them by order of the Parliament, or to the sheriff of Yorkshire.

Upon your lordship's resolution of these two particulars I shall send to the other commissioners to meet, which till then I forbear, lest we run into error. And I suppose your lordship doth not forget that Staincliff and Ewbank have paid nothing at all to the poll-money, nor is it likely that they will tax it upon this order, without a special commission under the great seal from my Lord Keeper. I hear of no order yet come into the country to restrain the daily concourse of recusants; indeed the forces they are able to make out are not much considerable, yet their consultations may conduce to the prejudice both of Church and Commonwealth.

Divers of the best families of them in these parts have left their own habitations, and are come to live at York ; as Tankard, Conyers, Cholmeley, and others. Methinks the Popish Rebellion in Ireland, should be an apt occasion thereupon to move the King to grant the two thirds of the recusant lands in England towards maintenance of the war for suppressing them in Ireland. And that being once settled in such a course, the work would be more facile to obtain the King's consent to an Act of Parliament, that those revenues should be perpetually employed to other public and politic uses of the State ; annexing provisoes of restitution when the recusants shall, in such a limited time, conform themselves in religion. I will now conclude your lordship's trouble of reading, with the tender of my due observances to your lordship, and I am

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

*23rd December, 1641.*

## CHAPTER VI.

The King's resistance to be expected—Encroachments of the Parliament—Pym's hints against the Peers and King—Bill for "the Perpetual Parliament"—Proposed amendment of the Lords—All parties blameworthy—Mutual distrust—Charles resolves to revisit Scotland—Reason assigned by him—Parliament anxious for delay—Real intentions of the journey—The Protestation—The King unscrupulous—Warrant to the Marquis Hamilton—Intrigues with the Covenanters—Letter of Lord Wariston—The King's efforts to win the Scotch Commissioners—Earl of Rothes—Montrose's ambiguous letter—The Plotters' proposals to the King—Letter of the King to the Earl of Argyle—Military preparations—The King leaves London for Edinburgh—Want of money—Attendants on the King—His conduct at York—Earl of Holland's report—The King arrives at Edinburgh—His base conduct—Act of Oblivion—Abandons his friends—Pardons his opponents—Abolishes Episcopacy—The Incident—Promotes the chief Covenanters—Episcopal property confiscated—Covenanters ungrateful—The King's return to England—Letter of Mr. Stockdale—Knaresborough Election contested—William Derelove—Sir William Constable—Sir Henry Slingsby—The King at York—Knighthoods conferred—Sir Philip Stapleton—Committee attending the King—Re-establishment of a Court at York—Its Trained Bands—Establishment of a Northern University—Manchester and York compete—Letter of Rev. Henry Fairfax—Counter-Petitions.

No one can contemplate the sweeping reforms, the progress of which has been glanced over in the preceding Chapter—reforms urging the King to resistance by curtailing his power, and restraining the instruments of arbitrary government,—without anticipating that some effort would be made by him to stay the current of change, and to recover some of his lost authority. The force of circumstances, the "pressure from without," had compelled him gradually to give ground, and at length to abandon, in rapid succession, most of the

strongholds of despotism. But it was not to be expected that a monarch, nursed as he was in the creed of Divine right, should relinquish the sweets of unbridled authority without making some desperate efforts, open or concealed, to get them back again. And it must be admitted that the Parliament, in their eager desire to curb this particular despot, had suffered themselves to be carried away into some extraordinary encroachments upon the just prerogatives of the Crown. They demanded that all ministers of State should be discharged, and that the King should commit "his own business, and the affairs of the kingdom, to such councillors and officers as they, the Parliament, might have cause to confide in." By this demand they struck at the appointment of the King's household as well as that of his public ministers.

The Bill for the continuance of the Parliament subverted the prerogative in a still graver matter; and Charles must have felt himself driven to the last extremity when he gave his assent to a measure which annihilated the irresponsible control he had originally asserted over the very existence of Parliament. That assent was given simultaneously with the assent to Strafford's death, and truly was it said by one who saw the ink scarcely dry upon the signatures, "The King has passed one bill against his most faithful servant, and the other against himself." The Peers endeavoured to diminish the force of this bill, by an amendment limiting its duration to two years, or some other time; but the Commons persisted, and the bill was passed, by which it was declared that the Parliament then sitting should not be dissolved or adjourned without the consent of both



Houses. The Royalists, with some truth, called it "The Act for the Perpetual Parliament."\*

That these measures involved inroads upon the Executive, which, if drawn into precedents, would be attended by serious damage to the machinery of the Constitution, cannot be denied. But it must be remembered that the Constitution was not distinctly marked out at that time; that the Executive had usurped some of the most important functions of the Legislature; and that the Commons were fighting a battle for the future liberties of the country, the fate of which depended upon the restriction of the King's authority, and the security of their own independence. By these excessive measures, they neither declared nor sought to establish any general principles. Such measures were purely defensive; forced upon them by the urgency of the occasion, and adopted to enable them to found, upon an imperishable basis, those popular rights which are now the safeguard and the glory of England.

That this warfare between the Parliament and the King ultimately hurried both parties into excesses which had been better spared, may now, perhaps, be conceded, when, removed from the passions and the dangers of the time, we come to view the conduct of these affairs with historical impartiality. But the waters once let loose, it was not so easy to stay their course. Neither party had much choice of alternatives in the long run. Until he had committed himself too far to recede, it had always been in the power of the King to mitigate the hostility of the Commons by yielding to their legitimate demands. It was his constant refusal to hear their prayers that

\* Clarendon, I. 204.

inspired them with so much distrust, when he was compelled to grant some terms at last. The grace which was refused to respectful entreaty and conceded only to compulsion, was not likely to be productive of amity or confidence. They justly suspected the sincerity of his compliances, and looked upon him as a retreating enemy, who was only watching some treacherous opportunity to return to the attack.

Throughout the whole struggle, it will have been seen how perseveringly the King maintained the assertion of arbitrary power, and how steadily the Parliament clung to the great principle upon which they had stood from the first. The Commons always put forward the redress of grievances as the indispensable condition of supply : the King always responded—"supply first, redress of grievances afterwards." This was a case which admitted of no compromise. There was no middle course by which the difference could be adjusted. One or the other must surrender in the end.

The Parliament had been made to feel the insecurity of their tenure. They had been capriciously called together, and capriciously dismissed. They had been treated on all occasions with contumely and arrogance ; summoned only to be insulted, and dissolved without a shadow of justifiable pretext. Now when attention is recalled to the fact, that in the existence and independence of the Parliament lay the sole hope of the people, and that out of doors the popular force, scattered and divided, was incapable of presenting an effectual resistance to the exorbitant tyranny of the monarch, it will cease to be a matter of surprise that this Parliament, as it gradually gathered strength, should have sought, by

all the means in its power, to fortify its position and preserve itself, as the depository of the will of the people against the wanton assaults of the King. So far from censuring the Parliament for the measures of self-protection they adopted, we should rather, looking dispassionately at the circumstances in which they were placed, applaud the extraordinary caution and forbearance with which they acted. Driven from their chamber of deliberation, stripped of their legislative functions, and sent back, over and over again, to detail to their constituents the wrongs which had been inflicted through them upon the whole people, it could not have produced much astonishment if they had excited the country to open rebellion. But they wisely avoided an agitation which could only have ended in the ruin of the great cause they had in hand. They strictly limited themselves to the use of the means which the Constitution reposed in their discretion ; and by the final triumph of their efforts they bequeathed to posterity the most remarkable example of fortitude and sound patriotism on record in the annals of the world.

To that Parliament, which sat for a period of eleven months, England is more largely indebted than to the most important victories over despotic authority achieved by similar means, or even by revolution itself ; an opinion enforced by the highest authority.\* The catalogue of the benefits it wrought, includes the redress of innumerable grievances connected with the administration of the Law and the Church ; the abolition of the Star Chamber and the Commission Courts, the declaration of the right of the Commons to sanction the collection of Tonnage and Poundage, the condemnation of Ship-money, and

\* Mackintosh, V. 275.

the passing of the Triennial Bill. The labours of all former and succeeding sessions sink into insignificance in comparison with the prodigious results of this memorable eleven months of the Long Parliament.

The King betrayed his malignity against the Parliament in a variety of sinister ways, when he could no longer show it openly with safety. Whoever was obnoxious to the Parliament needed no other passport to Court favour. Many instances have been already cited—many more might be accumulated. Lord Digby, Sir Philip Warwick, Mr. Hyde, had no sooner opposed the measures of the Parliament, than they were received into the confidence of the King. The breach was widening; but the Commons, always on the alert, noted every motion of the opposite party, and were too wary to be cajoled or surprised.

They had no faith in the most solemn concessions of the King. They knew that there was a mental reservation behind, and that he secretly designed, if opportunity permitted, to violate every engagement extorted from his fears. It was with such an intention that he resolved to make a second visit to Scotland, and the intrigues which tracked his progress, abundantly justified the jealousy with which the Commons regarded that step. They remonstrated against it, and even hinted at interposing their authority to prevent it. "If his Majesty," they said, "would be pleased to stay his journey into Scotland until the 10th of August, if then he shall be pleased to take his journey, this House shall submit unto it." \* But his Majesty persisted equally against the wishes of the Commons and the Covenanters, and the advice of the Bishop of Lincoln, who told him

\* Parl. Hist. II. 853.



to beware of the Scots, as they would undoubtedly reveal to the Parliament any secret overtures he might make to them. His proper place, the bishop thought, was "near Parliament, in order to watch its movements, and corrupt its members."

In spite of all opposition, however, by the Parliament, an opposition to which in other matters apparently far more fraught with important consequences he had already yielded, the King resolved to proceed to his Scottish capital. He would not even condescend to assuage their jealousy by waiting until the two armies had been disbanded ; and no one for an instant could believe, that the reason publicly assigned by Charles for his now adhering to time and purpose, was anything more than a veil for some secret design. He said he was pledged by proclamation to be at the opening of the Scottish Parliament by a specified day ; but he had been similarly pledged at the Treaty of Berwick, and might, as in that and other instances, have excused the breach of pledge, and have opened the Parliament by his Commissioner. Indeed he confessed there was some other reason for his fixed resolution in this matter, inasmuch as that when farther pressed to postpone his journey, he added, "A prefixed time is set for my going into Scotland, and there is an absolute necessity for it : I do not know but that things may so fall out, but that it (his stay) may be shortened."\* Vague and mysterious words like these were not calculated to allay the fears and suspicions of the House of Commons ; indeed, they naturally increased their anxiety and watchfulness. They begged the Peers not to adjourn ;

\* Parl. Hist. II. 856.

they continued to sit even on the Sunday, being the day next preceding the King's departure ; hastened in every way the dispersion of the troops, and appointed a committee of their own members to attend, or rather to be spies upon Charles during his absence.

There are many evidences, besides those already quoted, which show that the King's journey was undertaken for other objects than that of opening the Scotch Parliament ; but two may suffice. They are taken from the letters of Secretary Sir Edward Nicholas to the King, whilst absent on that journey, with the King's comments upon the passages appended. Writing to Charles, at Edinburgh, September the 10th, 1641, he said : " If your Majesty *overcome all difficulties* there, and make firm to you your good people of that kingdom, I believe it will not be difficult for you to put all things here in good order at the next recess." Upon the margin of which the King wrote—" You may now say confidently in my name that they are."\* On the 29th of the same month, the Secretary again wrote : " Whatsoever the news be that is come hither amongst the party of the Protesters,† they are observed to be

\* Nicholas Correspondence ; Evelyn's Memoirs, II. 18. The words in italics are emphasised in the original.

† " The Protesters " included the whole of the House of Commons and a large portion of the gentry of England. By this name Sir Edward Nicholas designates those who subscribed to a Protestation alluded to in more than one of Mr. Stockdale's Letters, and which had been sanctioned by the Parliament early in the May of 1641. The following is a copy :—" I, A. B., do, in the presence of Almighty God, promise, vow, and protest, to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true Reformed Protestant religion, expressed in the doctrine of the Church of England, against all Popery and Popish innovations, and according to the duty of my allegiance to his Majesty's royal person, honour, and estate ; as also the power and privilege of Parliament, the lawful rights and liberties of the subjects, and every person that maketh this Protestation in whatsoever he shall do in the lawful pursuance of

here of late very jocund and cheerful, and it is conceived to arise out of some advertisements out of Scotland, from whose actions and success they intend (as I hear) to take a pattern for their proceedings here at their next meeting." Upon which the King's marginal comment is—"I believe before all be done that they will not have such great cause for joy."\*

"The difficulties" intended to be overcome, and the "little cause for joy" to the Protesters, the opponents of Episcopacy, intended by the King's journey into Scotland, were to be effected by granting concessions to, and establishing a favourable party among, the Scottish Covenanters. This intrigue had been fomenting in London whilst their commissioners were in attendance upon Strafford's trial, and bargaining for the payment of their army; but it was an intrigue commenced two years before, had been successful in bringing over to the royalists Montrose, one of the Covenanting Lords, and had been pursued with a use of means in which honour and veracity had been set totally at defiance.

The Marquis of Hamilton had been an agent employed in negotiating with the Covenanters, and so regardless of all moral restraint was he directed to be in the transaction, that he considered it absolutely necessary to obtain a pardon previously to his proceeding

the same: and to my power, as far as lawfully I may, I will oppose, and by good ways and means endeavour to bring to condign punishment all such as shall by force, practice, counsel, plots, conspiracies, or otherwise, do anything to the contrary in this present Protestation contained. And further, I shall, in all just and honourable ways, endeavour to preserve the union and peace betwixt the three kingdoms of England, Scotland, and Ireland, and neither for hope, fear, nor other respect, shall relinquish this promise, vow, and protestation."—*Parl. Hist.* II. 777.

\* Nicholas Correspondence, II. 28.

in this affair. Of this, one of the most unique documents in political diplomacy, the following is a copy :—

[Private Warrant from King Charles the First to the Marquis of Hamilton, to converse with the Covenanters.]

TO OUR RIGHT TRUSTY AND WELL-BELOVED COUSIN AND  
COUNSELLOR, THE MARQUIS HAMILTON.

WE do by these Presents not only authorise, but require you to use all the means you can, with such of the Covenanters as come to Berwick, to learn which way they intend the Bench of Bishops shall be supplied in Parliament ; what our power shall be in ecclesiastical affairs ; and what further their intentions are. For which end you will be necessitated to speak that language, which, if you are called to an account for by us, you might suffer for it :

These are, therefore, to assure you, and, if need be, hereafter to testify to others, that whatsoever you shall say to them, to discover their intentions in these particulars, you shall neither be called in question for the same, nor yet it prove any ways prejudicial to you ; nay, though you should be accused by any thereupon.

C. R.\*

*Berwick, July 17th, 1639. }*

The intrigue thus begun, had been successfully pursued during the negotiations for peace at Berwick, and had been followed up in London, as we have observed, with some of the Scotch Commissioners. Promises of payment to the army whilst the Parliament were straitened for means, were opportunely given ; but in addition to this appeal to their avarice, threats were held out of excepting some from the promised Act of

\* Hardwicke State Papers, II. 141.



Oblivion, and honours were held out to others. These overtures were not without effect ; for the Earls of Loudon and Rothes, Lord Dunfermline, and Mr. Alexander Henderson, did not turn a deaf ear to the suggestions of the tempter. Nor were these the only aids to his purpose which the King sought in his second Scottish visit, for he hoped to acquire evidence against some of the opposition leaders in the English Parliament ; evidence to sustain an impeachment for their traitorous intercourse with the Scottish Covenanters, and evidence of the encouragement given to their invasion. Strafford had proposed this impeachment, but had been frustrated by his prompt arrest. No other evidence is required of the various purposes entertained by the King, than is afforded by this letter from one of the Scotch Commissioners :—

LORD WARISTON TO ADAM HEPBURN OF HUMBIE.

LOVING BROTHER,

SINCE my writing my last with the same bearer, and closing it yesternight, I had occasion this morning to speak with M., and after, by his advice, with the King, to whom I told my mind freely of the dangers and inconveniences he might draw upon himself, by discussing his actions, and forcing men for their defence to look over old practices, not so expedient for him. *Exonerari animam meam* to him, and that for others ; because, as for myself, I told him that I defied all the world that could lay to my charge any treasonable intention against his person and crown ; and renewed my offer to go in chains with my accuser to Scotland.

His mind seems to be on some projects here shortly

to break out : he is certainly put upon this to stick on the Act of Oblivion, both for to save Traquair, if he grant it, or to ensnare any English whom he apprehends to have had any intelligence with us, if he grant it not. Afternoon we met all with him ; he read to us a fair answer anent the Council and Sessions, and for the rest, told us that he had given as fair answers already as he could, and fairer nor otherwise he would but *pacis causâ*.

He told us that he himself would get as much of our money, and security for the rest, if the Parliament would not presently end our business ; that he had thought on ways how to get it ; that they professed their business depended on them, and from words of this kind to make us jealous of them. He told that if the Parliament of Scotland would prorogue themselves to some Diet again, which he is confident they will do, he will assuredly go home himself and settle the business ; he has said this, and sworn it too unto us, except some impediment occur that he knows not of as yet ; that he hopes to get his business ended here : then he fell on the Act of Oblivion.

We read the information, which I sent to you within a letter to Mr. Alexander Colville. He raged at it, and called us jesuitical. Then he cried and swore that if they excepted any, he would except some also ; and this he declared over and over again, and professed his hope that the Parliament would be of the same judgment.

We answered, in reason, from our inability to pass from what the Parliament had appointed, and from his granting the same already in the treaty. I must tell you my mind of all this business : for aught I can learn

from any hand, both this plot of reserving some of us, and this plot of causing the King to declare his intention to go home to Scotland, is only to terrify us to pass from Traquair, and is suspected (I will say no more, nor accuse any man) to come from some of our own number, with Traquair's advice. And albeit it were a reality, that not only processes should be reserved against us, but also we were laid fast, I cannot but must write it again to you, for the exoneration of my own conscience ; therefore no such thing ever ye harbour so base a thought as to be thus threatened and dung (forced) from the Parliament's pursuit of incendiaries, which, *in jure*, (for those that are named by the Parliament, and especially Traquair, protested against that in the last prorogation) neither we, nor ye there, can do, or have power in law to do. Some amongst us would terrify us with this project of the King's own presence, as able in Scotland to reverse all that is done, except the acts of the Assembly, and to gain such a party in Scotland, as to put honest men in hazard.

God forgive them who put such hopes in the King's head, albeit in reality I do not, nor do others more understanding, believe, that the King has any intention (for all that is said) to go in person to Scotland. Let us again be enjoined to do our duty, and show your firm resolution the rather to follow forth the incendiaries for these very motions by the King, and stops to the treaty, as to preserve that business safe to the Parliament ; and let them do then what they please, after we have done our part. And I will profess plainly, that before ever I condescend to the passing by of these incendiaries now, till the Parliament determine, I shall rather consent to the

King's reserving a thousand of our number. Haste up your answer to us, and show this and my former letter to General Leslie, Cassilis, Lindsay, and Sir John Meldrum. Be sure this letter meet me not again, only tell them the news, or read it to them. I am sure I am in as great hazard and as much feared and hated both by Traquair, as any of our number, here or there ; but I thank God I know not what it is to be feared in this business, while I do my duty. Look to your army, and be on your guard ; if they could get an opportunity to rub an irreparable affront on you, paper bonds would be soon broken ; if they find you circumspect, it is thought their designs will be hitherwards. There is some motion, as I hear, of the King's desire to adjourn the Houses for ten days, on pretext of the festival-days ; but, as I hear, the Lower House will not adjourn. Tomorrow they give up their bill of treason to the Lords. There is some of our articles anent the peace debated in the Upper House, and likely to be agreed.

My lord Dunfermline has been twice or thrice with the King ; Mr. Alexander Henderson was a long time with him. God forgive them that invent such projects or tricks (for I think they shall be found empty boasts) to bring so evil an instrument for his reputation, to the dishonour of the kingdom. I will not say that any of them, or any other of Traquair's servants, have projected this to the King ; I dare not say it, because I know it not, but I am sure sundry have said it, and some others suspect it ; howsoever, God willing, some of us (albeit we should be left alone, and be never so calumniated) shall return home with this testimony of our own mind, that we have adhered to our instructions from them that sent us, and



I believe every one will say as much for himself. God guide the business right, keep you stout in your directions to us, and circumspective to your intestine hypocrites and foreign enemy. After reading this for my exoneration to Balmerino, send it to him within your own, that he may thereby waken his lawyers to be the more diligent and intent. In haste,

Your loving brother,

WARISTON.\*

*21st April, at night.*

If there needed any evidence to sustain this, it may be found in the letters of another commissioner, Principal Baillie. Soon after his return to Scotland, writing to his cousin he says :—" Before I came from London, his Majesty's voyage for Scotland was resolved ; upon what grounds is but only conjectured. My lord Rothes was become a great courtier.† The Queen began to speak honourably and affectionately of our nation, and in sound earnest to think of her conveying the King to Scotland. It was thought the hearty agreement and fully satisfying of our needlessly irritated land, would be a sovereign help (remedy) of the continual harsh rencounter of the English Parliament. Besides, as it appeared afterward, about that time Walter Stewart's information had come to the King, giving probable assurances for convicting Hamilton and Argyle of capital crimes, if the countenance of a present King might favour the accusers."‡

\* Dalrymple's Memorials, II. 124.

† Death prevented the Earl of Rothes being any assistance to the King in Scotland. He died at Richmond, near London, on the 23d of August, 1641.

‡ Baillie's Letters, I. 388. In another letter, dated June 2, 1641, relating to

The determination of the King to abide by his resolution, and the anxiety of the Parliament to induce him to suspend his journey, were not abated by the following mysterious document, entitled "Instructions," intercepted in the course of transmission from the Earl of Montrose to the Lords Napier, Kerr, and others :—

#### INSTRUCTIONS.

"1. To give advice above [in England] how necessary it is that R. [the King] do come to the Plantation [Parliament]. 2. That Honores [Officers of State] be kept till it be seen who served him best. 3. That Honores be not bestowed by the advice of the Elephant [Hamilton], for fear he crush the R. 4. To assure R. that R. and L. [Religion and Liberty] being granted, he will be powerful to crush the Elephant 5. Not to let R. drink water, except he promise not to cast up again. 6. That R. be present in person in the Proclamation [the Parliament] to countenance his own security."\*

his wife that he is returning to Scotland in a ship, having in her "the King's wines and beer," he adds, "Show to my lady, (Montgomery, daughter of the Earl of Rothes), and to her only, that my lord, her father, is like to change all the Court; that the King and Queen both begin much to affect him; and if they go on, he is like to be the greatest courtier either of Scots or English. Likely he will take a place in the bed-chamber, and be little more a Scottish man. If he please, as it seems he inclines, he may have my Lady Devonshire, a very wise lady, with 4000*l.* sterling a-year. The wind now blows fair in his top-sail. I wish it may long continue; but all things here are very changeable."—*Ibid.* 354; *Clarendon's History*, I. 219. And so they proved in this instance, though in a mode differing from that in the mind of Baillie. The Earl lived to be marked as an apostate from the Covenanters, but not to receive the price which bought him.

\* Rushworth, V. 290. The words within [brackets] are supplied to explain what was believed to be the genuine meaning.

This paper recent discoveries demonstrate to have come from a confederacy of the Scotch nobles and gentry then collectively called “the Plotters,” concerning whom we have these particulars :—

“About the end of the year 1640, and beginning of 1641, Montrose and Napier, who had quitted the army committee in disgust, and returned to Scotland, were in the habit of supping together with a few friends, when the affairs of the nation were anxiously but temperately discussed. The party generally included, besides these two noblemen, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, a Lord of Council and Session, married to Stirling’s sister. Soon after Christmas of the year 1640, Colonel Walter Stewart, already mentioned, being on his way to Court, Blackhall took him to Montrose’s lodgings to supper, where he met Lord Napier, Keir, and Colonel Sibbald. After this last had left the party, the remaining five retired to the Earl’s bedchamber, where a conference was held, the substance of which, as well as of another between the same individuals when supping at Merchiston on the following night, was thus noted by Lord Napier himself :

“‘The Earl of Montrose, Lord Napier, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, Knights, having occasion to meet often, did then deplore the hard estate the country was in ; our religion not secured, and with it our liberties being in danger,—laws silenced,—justice, and the course of judicatories, obstructed,—noblemen and gentlemen put to excessive charges above their abilities, and distracted from their

private affairs,—the course of traffic interrupted, to the undoing of merchants and tradesmen,—moneyed men paid with faylies (failures) and suspensions,—and, besides these present evils, fearing worse to follow,—the King's authority being much shaken by the late troubles—knowing well that the necessary consequences and effects of a weak sovereign power are anarchy and confusion, the tyranny of subjects, the most insatiable and insupportable tyranny of the world,—without hope of redress from the prince, curbed and restrained from the lawful use of his power,—factions and distractions within,—opportunity to enemies abroad, and to ill-affected subjects at home, to kindle a fire in the State which hardly can be quenched (unless it please the Almighty of His great mercy to prevent it) without the ruin of King, People, and State.

“ ‘ These sensible evils begot in them thoughts of remedy. The best, they thought, was, that if his Majesty would be pleased to come in person to Scotland, and give His people satisfaction in point of religion and just liberties, he should thereby settle his own authority, and cure all the distempers and distractions among his subjects.

“ ‘ For they assured themselves that the King giving God His due, and the people theirs, they would give Cæsar that which was his. While these thoughts and discourses were entertained among them, Lieutenant Water Stewart came to the town, who was repairing to Court about his own business. Whereupon it was thought expedient to employ him to deal with the Duke of Lennox (being a Stewart, and one that was oft at Court, they thought, but were deceived, that he was well



known to the Duke) to persuade his Majesty's journey to Scotland for the effect aforesaid. This was the lieutenant's employment, and nought else ; although there was some other discourses to that purpose in the bye ; as, that it was best his Majesty should keep up the vacant offices\* till his Majesty had settled the affairs here ; and the lieutenant proponed this difficulty, that our army lay in his way, and that his Majesty could not in honour pass through them ; to which he got this present reply,—that our commissioners were at London ;—if the King did not agree with them, his Majesty would not come at all,—but if he did agree, the army should be his army, and they would all lay down their arms at his feet.

“ ‘ There is no man so far from the duty of a good subject, or so void of common sense, as to quarrel this matter. But the manner is mightily impugned, and aggravated by all the means that the malicious libeller can invent.† “ It is bonum,” says he (no man is so impudent as can deny it), “ but it is not benè ; and therefore ‘ the Plotters,’—for with that odious name they design them, — ought to be punished with loss of fame, life, lands, goods and gear, and be incapable of place, honour, or preferment,”—a sore sentence any man will think, after the matter be well tried and discussed.’ ” ‡

\* The Offices of State, some of which were vacant in Scotland in consequence of the revolution there.

† Referring to the criminal libels, drawn up in 1641, against Montrose and Napier, at the instance of the Lord Advocate, but most probably composed by Wariston.

‡ Original MS. in Lord Napier's handwriting, in the Napier Charter Chest.—*Napier's Life of Montrose*, 151.

Copies of letters from some of those "Plotters" to the King are still existing in the Napier Charter Chest and elsewhere, and though neither the originals nor their contents could be clearly traced, yet sufficient was known to cause the writers to be imprisoned and put in peril of their lives. The knowledge of this was another reason for the King's firm determination not to forego, nor even to delay, his journey; and, when at Edinburgh, this made him equally firm not to return until he had rescued the prisoners from their peril. So much was discovered, that the King could not venture to deny that he had addressed replies to the letters he had received from "The Plotters," and his acknowledgment of the fact is contained in this letter to the Earl of Argyle:—

ARGYLE,

I AM informed that one Lieutenant Colonel Stewart, employed here (as it is said) by the Earl of Montrose, has deponed something of his dealing with Traquair, and that by him I should have given assurance of disposing of some vacant places, to such persons as were joined in a late bond with the Earl of Montrose; thereby insinuating that my journey to Scotland was only desired and procured by Montrose and Traquair, and likewise that my intent therein is rather to make and further parties, than to receive from and give contentment to my subjects. Now since that (by the grace of God) I have resolved of my journey to Scotland, it makes me the more curious (anxious) that my actions and intentions be not

misconceived by my subjects there. Therefore, in the first place, I think fit to tell you, that I intend my journey to Scotland for the settling of the affairs of that kingdom according to the articles of the treaty, and in such a way as may establish the affections of my people fully to me ; and I am so far from intending division by my journey, that I mean so to establish peace in State, and religion in the Church, that there may be a happy harmony amongst my subjects there. Secondly, I never made any particular promise for the disposing of any places in that kingdom, but mean to dispose them for the best advantage of my service, and therein I hope to give satisfaction to my subjects. And as for my letter to Montrose, I do avow it, as fit for me to write, both for the matter, and for the person to whom it is written, who, for anything I yet know, is no ways unworthy of such a favour. Thus having cleared my intentions to you as my particular servant,\* I expect that, as occasion may serve, you may help to clear those mistakes of me which upon this occasion may arise. Lastly, for the preparation of my coming home, I do rather mention it to show the constant resolution of my journey, than in any doubt of your diligence therein, and so I rest,

Your assured friend,

CHARLES R.†

Information of these northern plots, all having for their object the establishment of a power countervailing

\* Argyle was a Privy Councillor.

† Letters of the Argyle Family, printed in 1839, and given to the Maitland Club.

that of the English Parliament, was speedily communicated to them, and strengthened their determination to adopt the measures of security already noticed. But they proceeded still further, and obtained a guard for the protection of themselves, and petitioned the King that the whole of England, especially the northern counties, might be placed in a posture of defence.\* In accordance with this request, Hull and other of the northern towns were supplied with ammunition, and the Trained Bands were ordered to be exercised. Those of Yorkshire were not omitted, and Lord Ferdinando Fairfax, who now sided with the popular party, had one regiment placed under his command. The following letter relates to some of the consequent arrangements.

SIR WILLIAM FAIRFAX TO FERDINANDO LORD FAIRFAX.

MY LORD,

YOUR letter came too late to my hands for me to return your lordship thanks by that post. I shall ever acknowledge it for a great honour ; and the more, because I know your lordship is very much employed in Parliament business, and may very ill spare so much time as to write to your friends. I shall be glad to hear what your lordship hath done concerning the Anisitye petition.† We much need commissioners, as you know very well, and I hope will so satisfy the House. I am very willing to accept the company, since it is in my lord's own regiment, for I very much honour

\* Rushworth, V. 291.

† A Liberty attached to the City of York.



his lordship ; and I pray you, my lord, let him know so much, which, since I am resolved to settle myself in this county, I cannot but think it my duty to do it the best service I can, and therefore, if your lordship think fit to get me put in commission for the West Riding, I shall endeavour to perform what I am able, and acknowledge your lordship's favour. So I take leave to rest,

Your lordship's humble servant,

WILL. FAIRFAX.\*

*From Steeton, 25th July, 1641.*

My wife was brought to bed of a daughter, the last week ; she remembers her service to your lordship.

On taking leave of the Parliament, the King commended the preservation of the kingdom in peace during his absence to its care, and departed for Scotland on the 10th of August. It was intended, at one time, that the Queen should have preceded him some few days, and, tarrying at York, there have awaited his return from Scotland.† This intention was abandoned, probably so soon as the Parliament's jealousy of even the King's passage through the army there was observed ; and it was then proposed that she should visit the Continent, for the alleged purpose of recruiting

\* Sir W. Fairfax, killed at Montgomery Castle, in 1644.

† Bromley's Royal Letters, 121. Even after the King's arrival at Edinburgh, and when he was losing no single opportunity of complaisance to the Presbyterian party, a report was circulated that the Queen would join him at Edinburgh. Sir Patrick Wemyss, writing from Edinburgh to the Earl of Ormonde, in October, 1641, says, "There is a whispering that the Queen is to be sent for, and that she is willing to come without having either priest or friar with her."—*Carte's Ormonde Correspondence*, I. 3.

her health at Spa. This plan was also abandoned, upon a remonstrance from the House of Commons, expressing their morbid jealousy of the movements of every papist ; and some restraint upon the proposed excursion must have arisen from the total deficiency of money to meet the attendant expenses. So great was this deficiency, that, although the Parliament pressed for the return of the Queen Mother (the Dowager Queen of France), to that country, yet she was obliged to delay her departure, the Parliament finding that there were no funds to defray the cost of her journey. Charles directed the Queen to raise some money upon his collar of rubies, and a report of her negotiation with Sir Job Harby shows that even here some difficulties arose, for even that part of the royal property had been already pledged and sent into Holland, without the King's knowledge.\*

The King's attendants on his journey to Scotland were his nephew Prince Charles, the Elector Palatine ; the Duke of Lennox, lately created Duke of Richmond ; and the Marquis of Hamilton. They travelled with the King in his coach, and reached York about the 14th of August.

It would have been only honourable conduct, and worthy of a King who had openly professed an anxiety for the disbanding of the army, if he had passed its lines without any covert communication with the troops. Charles, however, did not consider himself bound to abstain from any course that might aid him to recover the uncontrolled exercise of supreme power, and there is little reason to doubt that he now endeavoured to

\* Nicholas Correspondence, 32, 34, &c.

negociate with the army, through some of its leaders, to aid him against the Parliament. Clarendon endeavours to mystify this passage in our history, and to attribute to the Earl of Holland unworthy motives : but the truth, divested of all misrepresentation, appears in the fact, that the Earl, as a man of honour, in his capacity of General and agent for disbanding the army, felt it to be his duty to report to Parliament, through the Earl of Essex, "that he found there had been strange attempts to pervert and corrupt the army, but he doubted not he should be able to prevent any mischief." \* It must be remembered, in judging of this transaction, that the information came to the Earl of Holland from two staunch royalist officers, Sir Jacob Astley and Sir John Conyers, and that the Queen immediately insisted upon the Earl's dismissal from office at Court.†

The King passed on to Edinburgh, and no enemy, however malignant, could devise a course of action more calculated to establish an indelible appearance of baseness and want of principle upon his Majesty, than that pursued by him during his stay in the northern capital. Only one object seems to have been kept in view,—the establishment of a party to sustain him in a struggle against the English Parliament ; and to effect this, he pursued that most impolitic and self-delusive of all measures—the neglect of old tried friends, in order to bribe and win over those who have been uncompromising foes. This was the usual Stuart policy, ending, as it ever ends and deserves to end, in general mistrust, and an abandonment by all. Those who are bribed, cannot feel confident that they shall not in their turn

\* Clarendon's History, I. 230.

† Ibid. 234.

be abandoned, when no longer found of use ; and the well-affected are tempted to desertion and shaken in loyalty, by observing that the richest preferment is reserved to debase and make converts of enemies.

Even whilst the King pursued this course of corruption in Scotland, the inevitable effect was apparent around him ; “He had not one counsellor about him but the Duke of Lennox, and very few followers who had either affection to his person or respect for his honour.”\*

Yet if “affection” and “respect” could have been purchased from the Covenanters, Charles ought to have been environed with both. He had passed an Act of Oblivion justifying all their opposition, and whilst it actually excepted the Earl Traquair and some others of the King’s friends, pardoned all the Covenanters, and declared the proceedings of their Assembly and “Tables” to be no less than “the effects of their duty to the King and according to the law of the land.” He had even assented to an Act declaring “the Government of the Church by Archbishops and Bishops to be contrary to the Word of God,” though only the year previously had seen him in arms to force them upon the Scottish people ; and to the Lords of the Secret Council and to the Parliament of Scotland he granted the power of appointing magistrates and all the great officers of State.

As the King granted “whatsoever they (the Covenanters) were pleased to present to him concerning Church or State,” so he does not seem to have hesitated in conniving at means the most illegal and violent for removing those out of the way whom the Covenanters

\* Clarendon, I. 243.



mistrusted. Hence arose that designed outrage, known in Scottish History by the title of "The Incident." Writers favourable to Charles have endeavoured to envelope this proceeding in mystery, but the facts which are unimpeachable and sufficient proofs of its truth are, that the Earls of Montrose and Crawford, with other leaders of the Covenant, desired to have the Marquis of Hamilton and the Earls of Argyle and Lanerick "removed;" the mild term by which murder, if necessary, was described. A plan was devised for seizing them in the palace and hurrying them away on board ship, and the plan was communicated to the King. If he did not acquiesce in the design, at all events he did not communicate it even to that one of the intended victims whom he had always professed to trust, and who had been his companion from London to the Scottish capital. The plot was opportunely betrayed and the intended victims escaped. The details of the plot were published, and the King, despite the earnest entreaties of Secretary Nicholas, dared not venture upon any particulars, much less to contradict those details. Yet the three doomed nobles were all immediately afterwards elevated in rank, or otherwise promoted, but no one will venture to conclude that this was for any other reason than to assuage their just resentment.\*

\* The above outline may be verified by reference to five authorities, all having conflicting biasses. Clarendon, I. 236; the Earl of Lanerick in the Hardwick State Papers, II. 299; the evidence before the House of Commons, Rushworth, V. 421; Baillie's Letters, I. 392; and the Nicholas Correspondence in Evelyn's Memoirs, II. 40, &c. Charles, in a note to Sir E. Nicholas, shuffles from giving a written account, by saying "I was the less careful to send a perfect relation of this business, because I sent one of whose discretion and knowledge I was and am so confident, that I thought his discourse of the busi-

As the King appears to have been at least passive when the opponents of the Covenanters were to be removed, so was he most active personally to advance and gratify these by every means within his power, for, as Clarendon concluded, "he conferred honours on persons according to the capacity and ability they had in doing him mischief."

The Earl of Loudon, "who had been principal manager of the Rebellion," was made Lord Chancellor ; General Leslie, who had led on so successfully the Covenanters against the English, was raised to the Peerage, as Earl of Leven ; Lord Ormond, the second in command, was made Earl of Calendar ; Archibald Johnston (afterwards Lord Wariston), was at the same time "made content with knighthood, a place in the Session, and 200*l.* pension ;" upon Mr. Henderson was conferred "the Deanery of the Chapel, and some four thousand marks a-year ;" Sir Alexander Gibson was made Lord Clerk Register. "For the Treasury, since it could not be gotten to Argyle, it was agreed to keep it vacant till the King might be gotten down ; and, in the meantime, after the English fashion, to serve it by a commission of five, two of Hamilton's friends, the Chancellor Argyle himself, and the Treasurer-depute."\* The bishops

ness, as having been an eye-witness, would have satisfied more than any written relation." "An eye-witness" could not say whether the King knew of the intended violence ; and no unbiassed judge will conclude otherwise than that Charles did not wish the truth to be known. If so, will any one believe that the truth was to his advantage ?

\* Baillie's Letters, I. 396. Sir Patrick Wemyss, who had journeyed to Edinburgh, on a mission from the Commander of the Army in Ireland, the Earl of Ormonde, saw how affairs were progressing, and wrote thus to him, in a letter, dated September 25, 1641 :—"I am certain your coming to his Majesty at this time would have been most acceptable, for there is never a nobleman with him

being abolished, the lands and endowments of their sees were scrambled for by the laity without the remotest regard to any vested right which might be presumed to require their dedication to ecclesiastical purposes. This was as praiseworthy in the estimation of the Covenanters, as it was distasteful to Clarendon and his friends, who declared "that the King seemed to have made that progress into Scotland, only that he might make a perfect deed of gift of that kingdom, which he could never have done so absolutely without going thither. And so, having nothing more to do there, he began his journey towards England about the middle of November."\*

We may readily believe, that as the King journeyed to Scotland for the purpose of establishing a party in his favour, he only showered those gifts of titles and domains upon individuals whom he had reason to believe would in that mode merit them. It may be, too, that some of the recipients of that bounty, as Clarendon states, had promised services which they never performed, and had given pledges which they subsequently broke. This is probable, for he who is base enough to accept a bribe, thereby assures us that

of the English or Irish, but Dillon, who is a great courtier, if he could make use of it. What will be the event of these things, God knows ; for there was never King so much insulted over. It would pity any man's heart to see how he looks ; for he is never at quiet amongst them ; and glad he is when he sees any man that he thinks loves him ; yet he is seeming merry at meat. Henderson is greater with him than ever Canterbury was. He is never from him night nor day. It had gone hard with the Marquis (Hamilton) if he had not fallen in with Argyle, who will bring him off."—*Carte's Ormonde Correspondence*, I. 4. This testimony is enough to demonstrate how his English Council shrunk from the course which Charles was pursuing. If it had been honourable, he would have invited the attendance of his English courtiers, and they would not have allowed the occasion for such a reflection, that not a single English councillor was with him.

\* Clarendon, I. 244.

he is base enough to betray him by whom he has been tempted ; and, therefore, Charles may have had ample grounds for his reproachful enquiry of Scotland : "I have granted you more than ever King granted yet, and what have you done for me ?" They gave a practical reply a few years after, by delivering him up to those who were seeking for his life !

The King left Edinburgh for England on the 18th of November, "yet he made no such speed as was expected, for he stayed at York some days, and was long ere he came to the Parliament."\* His stay at York, and other contemporary events are noticed in the following letters.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MY LORD,

WE have had the election this day of a new burgess in Harry Benson's place : the faction raised by Mr. Benson carried it in number of voices from Sir William Constable, for they were thirty-three, and Sir William Constable had but thirteen. But when the election was made, and all men polled, I demanded of John Derelove (who is substitute-bailiff this day) that he would make return for us ~~that~~ had elected Sir William Constable, and I alleged that the election of William Derelove was illegal, because he is deputy-steward and judge of the court, and therefore the burghers durst not give their voices for fear of him ; and ours being a legal election ought to be returned, which

\* Baillie's Letters, I. 396.



the said bailiff denied to do. So we staid our company together, and made an indenture and sealed it, electing Sir William Constable, which we have sent by Sir William Constable ; which is as far as I can now relate. What shall be done by the sheriff I cannot write ; but some friends of Sir William Constable's must take order that there may be a caveat entered to keep William Derelove out until the matter be examined, and when it shall appear that Mr. Derelove is deputy-steward and bailiff, and deposes his brother for this time, to make himself capable of election, then I hope the indenture which we have sealed for Sir William Constable will be received and he be admitted into the House.

It will appear that he is deputy-steward and bailiff in the Queen's Court, for his patent is sealed with the Queen's great seal kept by her Chancellor, and is of record here, and needs no other proof. And he is a man of no estate ; we know not here of any thing he hath, either lands or goods, save only his office ; and it is against reason that he that hath nothing of his own to give should have power to give away other men's estates or any part of them, which you know the Parliament hath, of which he would be a member.\* My time gives me no more scope ; I must here conclude, and always remain,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

12th November, 1641.

Your lordship and I do divide the blame and malice

\* From the Journals of the House of Commons, under the date of March 19, 1642, we learn that Mr. William Derelove's election was declared void, and Sir William Constable as duly elected.

of putting out Henry Benson and opposing William Derelove's coming in, and I am sore threatened for it.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

UPON Friday last I gave your lordship a confused relation of our more confused election at Knaresborough, and of my public protestation against the illegal choice made by the greater part of the burgesses who elected William Derelove their steward and bailiff. Since which time I have heard nothing from Sir William Constable nor any other, what success he had with the sheriff, nor how he hath returned the indenture, which we sealed and delivered to him, testifying our election of him. I then wished him to return it to the Parliament, in case the sheriff refused to return it with the writ; and I doubt not but the other election of William Derelove being examined will appear illegal and contrary to the order of the House; and so Sir William Constable shall be admitted, and the other shut out.

The business was ill carried from the beginning, else we should have had all the voices of the town for Sir William Constable. But Sir Henry Slingsby sent word on Saturday to Henry Benson that he was put out of the House, and on Sunday writ to him a letter to the same purpose; and thereupon Henry Benson, and his sons, the Dereloves, spoke to all the boroughmen on Sunday morning for their voices, which they (being

then ignorant of the cause) did promise to William Derelove ; and so Sir Henry Slingsby by that unadvised intelligence deprived both himself and all men else of power to help Sir William Constable ; for of the thirteen voices that elected Sir William Constable there were but two of Sir Henry's tenants, whereas he expected above thirty voices of his dependants.\*

Now that which rests to be done, if it be not already done, is to make it apparent that Derelove's election is illegal, and not to be allowed for these reasons, viz., first, William Derelove is both bailiff and steward of the borough, and hath jurisdiction of judicature over the townsmen, so that none of them dare give their voice freely against him, as many have declared, because he vexeth and oppresseth his opposites. The patent granted by the Queen making him bailiff and steward, you will find in the Queen's Court upon record ; for it is under her great seal kept by her Chancellor. The next exception is, that if Henry Benson were unworthy, then of necessary consequence William Derelove must be so also, he being the same man, only passing under another name, and dressed in other clothes, for he is his son, and hath his daily maintenance and

\* Sir Henry Slingsby never lost an opportunity to serve the Royalist cause, to which he was devoted in life, and for which he died. Charles the First showed him marked favour ; and the bed in which that monarch slept at Sir Henry's seat, the Red House, near Marston Moor, is still preserved. He raised six hundred men, horse and foot, at his own expense, and led them in the chief actions of the Civil War. At its close his estates were sequestrated, and himself imprisoned, at Hull ; but even there he conspired to aid the restoration of his Royal master ; and was beheaded for this under the Protectorate, in 1658, together with Dr. John Hewit. He sat as member for Knaresborough in the Long Parliament, until he was voted disabled, for refusing to leave the King at Oxford, and attend in his place.

dependance on him alone, and is guided by him in all his actions. And if Henry Benson were thought to give intelligence to the recusants, then this man will do the same, and grant protections too ; for besides the families of Plumpton, Trapps, and Tankard of Branton, with whom he is observed to keep strict intelligence, I hear he was lately with the Lady Emely, the widow, who is held an active Papist, and of a potent family. And for his estate, we know he is not worth sixpence in the world, but is maintained by his father-in-law's arts, and hath neither lands nor goods in possession nor expectation of descent ; and it is not consonant to reason, that he who hath nothing at all of his own to give, should be enabled to give away other men's estates. If he had been the heir of any gentleman's house, or had been a man of any judgment or understanding, we should not have distasted him nor grudged him the honour to sit in that most honourable assembly ; but we know him extremely poor and needy, and a man of mean parts and shallow capacity, and besides, he is bred in the base ways of his father-in-law, who hath already been censured by the House. The last exception against the election of Derelove is, that he being bailiff and steward of the borough, did for that day substitute his brother, John Derelove, to be bailiff ; for this only end, that he himself might seem capable of the place of burgess ; and I conceive he hath not power to substitute a bailiff, and if one, yet not so many substitutes, for his other brother Thomas is also a substituted bailiff under him, and so is one Thomas Wakefield ; and if he have power to substitute so many, yet John Derelove, who took upon him that day to execute the place



and return the writ, is not capable of office, being but twenty years old in May last.

I doubt not but these exceptions, rightly managed, will stop his entry into the house, and make way for Sir William Constable.

The next matter to be taken into consideration, is, how to ease the town of their insufferable bondage under Benson, the Dereloves, and William Conyers ; for they are all officers by deputation, or take upon them so to be ; for I hear they do all of them take upon them ordinarily to administer oaths, which I think runs them into præmunire ; but what authority they have, your lordship will best understand upon view of their grant, of which a copy must be taken out. Many other abuses they commit, to the wrong both of the Queen their mistress and the subjects, in levying and receiving monies which they never pay nor account for : the guilt of which may haply have caused them to send Thomas Derelove up to London, either to surrender their old grant, and take it again in another name, so to avoid forfeiture : he went to London on Monday was se'nnight. But a caveat must be entered that they transfer not the place from one to another, until it be examined whether their miscarriage have not already forfeited their interest ; and then the next thing to be done is, to think upon an able and honest man to exercise the place, for whom a new grant must be procured, upon their avoidance ; which will be effected by a commission to examine their actions ; and, if it be necessary to have some particulars of their abuses, whereon to ground the commission, I shall collect and send them up, upon your lordship's signification.

They have two arguments to justify their election of Derelove. First : That Sir Henry Slingsby, when he was bailiff and steward, was elected burgess. Second : That recorders are ordinarily elected. I say to the first, that, if a man steal a horse and escape because no man questions him, it shall not justify another man that steals and is arraigned for it. And for that of the recorder, he is only chosen by the mayor to be an assistant, as I conceive ; and hath no jurisdiction of judicature, as the bailiff and steward have.

The exceptions they take at Sir William Constable, are, that after the election made and the indenture sealed, he caused us who gave our voices with him, to dine with him at his inn ; and they say that he spoke against the Common Prayer-book ; and their saucy attorney, Nixon, who hath yet paid no poll-money, gives him the phrase of "Puritan" in most despiteful manner and language. As I hear these things I am bold to recommend to your lordship ; wherein I hope your lordship will show your care of the public affairs of your country which are concerned in them. Other matter I forbear to trouble you withal at this time ; yet I must tell you that the King comes to York on Saturday next, and that Sir Philip Stapleton is already gone southwards from hence,\* both which I know your lordship hath heard before.

\* Sir Philip Stapleton was member for Boroughbridge at this time and continued so until the year 1647, when a charge was brought against him by Sir Thomas Fairfax, on which he retired into France, and died there the same year. He had married a daughter of Sir John Hotham. Clarendon describes Sir Philip as "a proper man, of a fair extraction ; but being a branch of a younger family, inherited but a moderate estate, about five hundred pounds a-year, in Yorkshire. According to the custom of that county, he had spent much time in

I much desire to hear what becomes of the insurrection in Ireland by the Papists, and what is resolved by the Parliament touching it. And this I have the more desire to understand perfectly, because my wife's friends are so much concerned in it. And something must be done touching the recusant party in England, who may be feared to give secret encouragement, if not help, to the recusants of Ireland.

When I had written thus far, I was told that Harry Benson begins now to abate of his confidence, that William Derelove's election will be allowed by the Parliament. But he saith that if it be not, yet Sir William Constable shall not have it; but that he will put it upon a courtier, (meaning the place of burgess), because I shall not have my ends, whom he terms his enemy.

I will here conclude your lordship's further trouble at this time, and wishing much increase of health and honour to your lordship,

I remain,

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

19th of November, 1641.

those delights which horses and dogs administer. Being returned to serve in Parliament, he concurred with his neighbours Hotham and Cholmondeley, being much younger than they, and governed by them in the prosecution of the Earl of Strafford; and so was easily received into the familiarity of that whole party. In a short time he appeared a man of vigour in body and mind, and to be rather without good breeding than incapable of it; and so he quickly outgrew his friends and countrymen in the confidence of those who governed." By "those who governed," is intended the Parliamentary leaders; and they deputed him, with three other members of the Commons, and two members of the House of Peers, to be a committee, attending and watching the proceedings of the King in Scotland. The other members of the committee who were appointed were, Nathaniel Fiennes, Sir William Armyn, John Hampden, Edward Lord Howard

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

UPON Friday last I received your lordship's letters, which have in some measure settled my confidence, that our factious election at Knaresborough will be rejected ; and, if Sir William Constable be not admitted upon this election made of him, yet at least we shall have a new day for it ; but truly I think, if any new writ come before these great officers (stewards and bailiffs) be removed, we shall have much opposition to any fair election. The only help must be to give us timely warning, that we may prepare our friends and wellwishers, that they may not be surprised or forestalled, as they were at the last election, by Henry Benson and his sons.

The just exceptions against their holding the office will be very many ; and I think our exception is, that, at the last election, and since that day, the court was held by John Derelove, who is not yet twenty-one years of age, and therefore, I think, not capable of judicature ; and yet I understand that, within this week, and since Derelove was elected burgess, there have been arrests made by warrants issued in the name of William Derelove, which shows that he is still both steward and bailiff.

of Esrick, and the Earl of Bedford ; but the nobleman last named did not accompany them into Scotland. They reported faithfully to the House the events as they arose, and only came away just in advance of the King, as noticed in the above letter.—*Clarendon's History*, I. 235 ; *Rushworth*, V. 376.



Upon Monday last, William Derelove set forwards to London, and it was said his father Benson also ; but I perceive he is still at home, and his noted friends do still resort to him, and I am privately told that he hath taken a chamber with Mrs. Duncombe, in Crake Castle, and intends to lurk there till the storms be past, for she is his special friend.

Upon Tuesday last, Thomas Derelove came home from London. What advantage he hath made of his employment there is kept secret, yet the townsmen of Knaresborough are already possessed with an opinion that all goes well on Henry Benson's side : such skill is on their party to delude, and such sottishness on the other side to credit them.

I suppose the King is come to London before this time. On Monday last he left York : he knighted Mr. Strickland, Mr. Barwicke, Mr. Thomas Noccliff, the Mayor of York, and Sir John Goodricke, who was a baronet before. His Majesty promised to favour the petition for a new court at York, and to take off 4000 of our Trained Bands. Both those graces may as well prove obnoxious as profitable in my conceit. First, for the court, if it admit appeal, other than for injustice, and that to the Parliament only, it will entangle the country as it did heretofore in double troubles. And for the Trained Bands, I confess our county stands double charged, in proportion with all other counties of England, which is a most unequal burthen, and this they have endured ever since 1588 ; but for my part, I think it would conduce more to the safety of the kingdom to double the Trained Bands in all other counties, and leave ours as it stands now, unaltered. For I hold it more safe

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for the kingdom to be defended by Trained Bands (whose soldiers have all of them interest of their own to encourage them), than by pressed or hired men who are always more at the devotion of the Sovereign or generals, and more easily diverted from effecting those ends for which they are pretended to be raised, which is the common safety, as was of late very easily to be discerned. But I lose myself and tire your lordship with these extravagancies, which I hope your lordship will pardon, and thereby engage me so much the more to be,

Your lordship's most faithfully

Devoted servant,

THOMAS STOCKDALE.

*26th November, 1641.*

Before proceeding to the consideration of the events immediately consequent upon the King's return, and which precipitated England into the distress and horrors inseparable from Civil War, we will consider one or two transactions which occurred during the period over which we are passing, and with respect to which, the Fairfax MSS. impart fuller information than has hitherto been made public.

One of these, the establishment of a northern university, has been incidentally mentioned, and now that one is established at Durham, it is not without interest to learn that two centuries ago York and Manchester competed to obtain a similar benefit and distinction; and to know now upon what grounds they pleaded for such a foundation.

COPY OF A LETTER TO FERDINANDO, LORD FAIRFAX, SENT  
MARCH 20TH, 1640. (1641, N. S.)

MAY IT PLEASE YOUR LORDSHIP,

I HAVE here inclosed some propositions lately made at Manchester, in a public meeting there, concerning an university ; which, if you please to consider what good it may bring to our whole North, and other parts ; what glory to the Parliament to be the founder of that, and what honour to your lordship to be chief agent in it ; posterity may bless you, and the work itself will speak that the like hath not been in England (if Cambridge be the last), not of two thousand years.

Your lordship's ever faithful and loving

brother and servant,

HENRY FAIRFAX.

The petition inclosed to Lord Fairfax with the foregoing letter, was this :—

TO THE RIGHT HONOURABLE THE HIGH COURT OF PARLIAMENT, NOW ASSEMBLED, THE HUMBLE PETITION OF THE NOBILITY, GENTRY, CLERGY, FREEHOLDERS, AND OTHER INHABITANTS OF THE NORTHERN PARTS OF ENGLAND,

HUMBLY SHOWETH,

THAT whereas the want of an university in the northern parts of this kingdom, both in this and former ages, hath been apprehended a great prejudice to the kingdom in general, but a greater misery and

unhappiness to these countries in particular, many ripe and hopeful wits being utterly lost for want of education, some being unable, others unwilling, to commit their children of tender and unsettled age so far from their own eyes, to the sole care and tuition of strangers: We therefore humbly crave leave to offer unto your pious care and wise consideration the necessity of a third university, and the convenience of such a foundation in the town of Manchester, for the future advancement of piety and good learning amongst us.

First.—In all humility we submit unto your grave judgments the consideration of the great distance of both universities from us; many parts of the countries wherein the petitioners are inhabitants lying above two hundred miles from Oxford or Cambridge, few under one hundred, insomuch that divers gentlemen are induced to send their sons to foreign universities, or else to allow them only country breeding.

Secondly.—The great charges of the other universities, necessarily occasioned by the multitude of scholars; the dearth of provisions, the want of fuel and scarcity of lodgings, forcing many men of indifferent and competent estates, able enough to maintain their children in another convenient place of the kingdom, either to debar them of university breeding, to make them servitors, or, at best, to allow them only two or three years' maintenance, and then to provide them of a country cure, or which is worse, without any degrees, without university learning, to procure them holy orders, and so obtrude them upon the Church, which (we speak from sad experience) hath occasioned many ignorant and unlearned ministers amongst us.



Thirdly.—The great hopes we have that from hence might issue able and learned men, laborious pastors and teachers, to convince and discourage Papists, and other superstitious people, who, for want of able scholars, daily take growth, and increase to the great hindrance of piety and true religion.

Fourthly.—The charitable intentions of these countries in general, more especially of some private gentlemen therein, who intend to be liberal benefactors for the provision and bringing up of the poor scholars of these parts, which now are either lost or burdensome to the other universities. This, therefore, we apprehend, might be a great ease, and no dishonour to them; a blessing to us, and a benefit to the commonwealth, which otherwise will lose the gratuities of these gentlemen—they solely intending to bestow their munificence in this pious work, and no other.

Fifthly.—The honour that might hence arise to these parts of the kingdom, which, by reason of their distance from the Court and universities, have suffered a double eclipse of honour and learning.

Sixthly.—We crave leave to certify that we apprehend Manchester to be the fittest place for such a foundation, it being almost the centre of these northern parts, a town of great antiquity, formerly both a city and a sanctuary, and now of great fame and ability, by the happy traffic of its inhabitants, for its situation, provision of food, fuel, and buildings, as happy as any town in the northern parts of the kingdom. To all this we add the convenience of the college there already built, both large and ancient, and now, as we understand, intended to this purpose by the piety and munificence of

the Right Honourable James Lord Strange, a noble encourager of this great work.

Upon these and what other grounds your greater wisdoms and judgments may dictate unto you, we humbly beseech you to take into consideration the necessity of this great and pious business.

Manchester encountered an opponent in the city of York, the superior claims of which were sought to be established in the two petitions following :—

TO THE RIGHT HONOURABLE THE HIGH COURT OF PARLIAMENT, NOW ASSEMBLED.

*The Humble Petition of the Nobility, Gentry, Clergy, Freeholders, and other Inhabitants of York,*

HUMBLY SHOWETH,

THAT your Petitioners are bold to represent the sense they have of the want of a university in these parts, which doth extend as well to the present prejudice, as also the future disabling of a great part of the kingdom in the knowledge of Arts, and learned endowments ; but hath a more powerful influence upon these Northern Counties next adjacent, where many choice wits have been made abortive by some clouds of ignorance, for want of that so complete education, which so great distance, as also the dearness of the southern academy, hath debarred many parents to bestow upon their children ; some being unable to defray so great a charge, others altogether unwilling to confer the sole care upon such as are so absolute and remote

strangers to their acquaintance. And therefore your Petitioners humbly desire to offer unto your more learned judgments, the necessity of another university, and the many subsequent conveniences for such a foundation in the City of York.

First.—Because many of your Petitioners' habitations are one hundred miles, and some two hundred, from Oxford or Cambridge, by reason whereof many gentlemen send their sons unto the Scotch universities, or only unto country schools, whereas, if there were one settled so conveniently as at York, it might in probability invite many out of Scotland unto it.

Secondly.—Because the great confluence of students unto Oxford and Cambridge doth so exceedingly advance the prices of all manner of provisions which are useful for the life of man, that not many men (unless of good ability and considerable estates) are able to maintain their sons with education there.

Thirdly.—It is much observed that Popery hath increased far more in these parts than in the south, and that one great concurring cause is supposed to be the want of able and industrious ministers, and men of eminency for piety and parts, who being placed amongst us, might not only inform the younger, but give such instructions as might (by God's blessing upon their endeavours) convince the most superstitious, and so consequently render these places far more happy to the future than they have been in former ages.

Fourthly.—That the whole kingdom, as well as these parts, might thereby receive some honour by the addition of this third university; Scotland having long gloried in that happiness as to enjoy the literature

of four ; viz. Edinburgh, Glasgow, St. Andrew's, and Aberdeen.

Fifthly.—That we instance some few, rather than seek to enumerate all the conveniences which the City of York doth commodiously at this day enjoy as proper for accoutring a university there, we do humbly offer to your grave judgments :—that it is very near the centre of these northern parts ; being a very ancient and famous city, supported by the strong pillars of commerce and trade from many foreign kingdoms, as also neighbouring counties, by means of the navigable River Ouse, and no place cheaper furnished with food, raiment, or fuel for fire of all sorts, as sea-coal, pit-coal, wood, and turf ; having in it a college already well endowed (the Bedron) not yet improper, with a large hall for the readers, and good convenient lodgings for the students ; also divers other fair houses, of late the dean and prebends', which, though now in lease, may in time expire, and remain unto some pious uses : also having another college, founded by St. William, in King Stephen's time, which though now in another fee, is thought may be redeemed by worthy benefactors.

And lastly, there is the benefit of a library, sometime the most famous in Europe, but being burnt about that time the university of Paris was founded, it may now again be made to flourish by the help of charitable persons.

Wherefore your Petitioners humbly desire you will vouchsafe for these, and what other more weighty reasons your learned wisdoms shall adjudge more fit, to take your Petitioners' suit into your serious consideration, and which we hope the King's Majesty,



by your mediation, may with willingness approve. The happy compliance wherein, we shall pray the God of Heaven so to bless, that it may be a work most acceptable to Him, profitable to His Church, and pleasing to all good men in the advancement of piety, truth, and righteousness.

TO THE RIGHT HONOURABLE THE LORDS AND COMMONS NOW  
ASSEMBLED IN PARLIAMENT.

*The Humble Petition of the Inhabitants of the County and City  
of York, and of the Northern Parts of the Kingdom of  
England,*

SHOWETH

THE earnest and humble desires of your said Petitioners, that by the justice, wisdom, and favour of this high and Honourable Court, there may be liberty granted, and some means allowed and appointed for laying a foundation of a university, college, or colleges in the city of York, for the education of scholars in arts, tongues, and all other learning that may render them fit for the discharge of the ministerial function in the Church of God, to His glory and the honour and advantage of these and other parts of the kingdom.

In which desire, that your Petitioners may not seem rash or unreasonable, they offer these ensuing considerations :—

First.—That howsoever the kingdom enjoys the benefit and blessing of two most famous universities, which, as they are so, we still hope they shall continue the glory of Europe ; yet we humbly conceive that they are not

commensurate to the largeness and necessity of the kingdom, which appears by the deplorable want of a learned and faithful ministry in very many congregations, which, for want of scholars or choice of scholars, are betrayed to the ignorance of illiterate men, through whom that sad proverb is fulfilled upon us :—"The blind lead the blind, and both fall into the ditch."

Secondly.—As we the inhabitants of the northern parts of the kingdom find the share in this common want and calamity to be very great, insomuch that we have been looked upon as rude and almost barbarous people in respect of those parts, which, by reason of their vicinity to the universities, have more fully partaken of their light and influence, so we cannot but be importunate in this request ; in which, if we may prevail, we hope it will be a special means of washing from us the stain of rudeness and incivility, and of rendering us (to the honour of God and this kingdom) not much inferior to others in religion and conversation.

Thirdly.—We humbly declare, that many of us who would most gladly offer up our children to the service of the Church of God, in the work of the ministry, and should hope to accomplish our desires, if a cheaper and more convenient way of education in point of distance were allowed us, cannot fulfill our wishes in that behalf, in regard of the distance and dearness of the southern universities, whose charge we are by continual impoverishment rendered daily more unable to bear.

Fourthly.—We cannot but apprehend it as very necessary not only to the good of these parts, but to the peace and happiness of the whole kingdom, that all possible care be had of reforming the northern parts now abounding

with Popery, superstition, and profaneness,—the fruits of ignorance,—that they may not remain a seminary or nursery of men fit to be instruments of any irreligious and unreasonable design for the overthrow of religion and liberty; which reformation cannot be expected without a learned and painful ministry, which we almost despair of being supplied with from the south, whither we send many scholars, but find *vestigia pauca retrorsum*,\* and those for the most part such as others have refused.

Fifthly.—We humbly represent York as the fittest place for such a work in regard of its healthful situation, cheapness of victual and fuel, which howsoever by the late and present pressures upon the country now grown dearer, we hope shall recover the former rate and plenty if God shall vouchsafe us the blessing of peace; some good degree of civility, the convenient distance of it from the other universities and the borders of the kingdom, the advantage of a library which is there already, and convenient buildings for such an use.

Upon these considerations, your Petitioners humbly desire it for the foundation of so good and necessary a work (though the revenues of the archbishopric, dean, dean and chapters, be disposed of for other public uses,) this high and Honourable Court would be pleased to allow, and appoint the place which is commonly called the Bedron, now a college of vicars-choral and singing-men, with the maintenance belonging to the Corporation, as also, what other revenues they, in your favour and wisdom, shall think most fit. And we doubt not but by the blessing of God, the diligence and bounty

\* Few ever retrace their steps.

of men well affected to religion and learning, this work may be brought to such perfection, as may tend very much to the honour of God, the happiness and advantage, not only of these northern parts, but of the whole kingdom.\*

\* In another petition, with similar clauses, is added, "There is a printer already there" (at York).



## CHAPTER VII.

The King's efforts to establish a Scottish Party—Its consequences—Jealousies against the Roman Catholics—Letters from Mr. Stockdale—Proposals for exterminating the Roman Catholics—Forfeiture of their estates—Number of Roman Catholics in Claro—Knaresborough Election—Pardon of Irish recusants—The Declaration of the Parliament—Musters in the Counties—King discharges the Parliament's Guard—Review of Poll Tax—Lieutenancy of the Tower—Levy of Troops for Ireland—Plot suspected—Sir William Constable's ill health—Jealousy between the King and Parliament—Yorkshire Billet-money—Proposed Narrative of Irish Massacre.

THE efforts of the King to establish a countervailing interest in Scotland could not be concealed from the English Parliament, under the pretence that, by yielding to the Presbyteries, he was complying with the Parliament's wishes. His intrigues and purposes were all revealed to the Parliament Committee, and by them communicated to the House. Those efforts, embracing the abandonment of his friends, the promotion of his opponents, and the abolition of Episcopacy, had the unavoidable consequence in England of disheartening his supporters, and of encouraging those who opposed his despotism, whilst, at the same time, it more than ever aroused their distrust. As Charles did not scruple to pander to the Puritans for aid, the Parliament justly concluded that he would have as little repugnance to enlist in a similar manner the Papists in his cause.

The House of Commons knew full well the correspondence maintained by the Queen with France, in which she sought for aid from that, her native land. The correspondence of her confessor, Father Phillips, urging the same claim, had been intercepted. Rosetti, the Pope's nuncio, had been concealed in London, and clung to his mission until it was known that warrants were issued for his apprehension.\* Lord Crawford, a more than suspected Papist, had been at the bottom of the plot for seizing Hamilton and Argyle. The Irish massacre of the English Protestants broke out during the King's absence in Scotland, and the report was not wanting that these movements were all in unison. Just at this time also, the King, contrary to the directions given whilst he was with the Parliament in London, ordered the disbanding of the Berwick garrison not to be proceeded with. The consequent jealousies, and some of the remedies suggested, are noticed in the following letters :—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

I HAVE heretofore made bold to impart to you my conceptions ; that the conditions which by the statutes are given to the recusant party, have neither wrought that good effect upon them in point of reformation, as was expected, nor (as they are used) do they in any way conduce to the securing of the kingdom against their machinations and attempts to introduce alteration

\* Rushworth, V. 300, &c.

in the Church and political government : and, therefore, I think it worthy of consideration how the Parliament may settle some new course to be held by that party, which may in probability produce better effects in reforming their religion ; and, howsoever, in securing the Church and commonwealth against their power to attempt innovation in either.

I have heard some propound to have them all put to the sword, which, methinks, is a counsel better becoming a Turk than a Christian. Others propound their banishment ; which advice, methinks, tastes not of policy. For it is well known to the world, what ill effects the like counsel hath wrought to the Crown and State of Spain, that practised the like course upon the race of the Moors.

Our own laws, with some little alteration (which time hath discovered is more than necessary), may happily work that much desired conclusion of their reformation, or at least, in time wear them out.

It appears, that giving the two-third parts of each recusant's estate to the King, doth not much enrich the Crown, and yet it unites the recusant party in too strict bonds of dependency upon the sovereignty, and so co-operates with it to advance the regal power beyond the right bounds, in proportion with the subjects' legal liberties.

And therefore a new Act of Parliament should be passed, transferring those two-third parts of recusant estates from the Crown, to be after this manner managed :—First, an exact survey-inquisition to be taken, by select commissioners, of all recusant estates in lands or monies, and two-third parts of them seized and absolutely taken away out of their power and

managing, and the true improved rents and profits thereof, as they are or may be let by the owners, to be yearly answered and paid by the tenants and occupiers thereof, to the use of the commonwealth. To this end it will be requisite to have three public banks or receipts to be erected ; one in the south, another in the north, and another in the west ; and the officers attending these banks or receipts to be appointed by the Parliament, from time to time, and to make their accounts to the Parliament, and to such others as they shall depute for taking of those accounts. And for the monies arising out of this two-thirds of their estates, which will every year be a very vast revenue, I conceive it would be a good policy that the officers of the banks should let them out at interest upon good securities ; and all the monies coming in for interest, to be employed for the use of the commonwealth and safety of the kingdom, either in maintaining shipping, providing armies and munitions, and making fortifications and magazines for arms. And the manner of employing these interest-monies to continue from time to time, as the Parliament shall think fit. Every year this bank will increase ; and so the interest will increase, and be able to defray much of the public expenses of the kingdom, for the common safety.

Now for the principal monies thus received for rents and put forth to interest, there must be exact accounts and records kept of them as they come in every year ; and the names and pedigrees of the families to whom they belong must be exactly registered. And in the Act of Parliament, it will be good to insert a clause, that when any of that family (to whom any part of



those monies and revenues ought to have been due, if they had been Protestants) shall conform themselves to our religion ; if it be the heir, he shall have the two-third parts of his lands or other patrimony restored to him. And if it be any of the younger brothers or sisters, that at any time shall conform themselves, they shall have a certain proportionable share of the rents delivered to them out of the public bank, to make a competent portion for them, according to the proportion of rents received and paid into the bank out of the lands of their house or family ; and the remainder of the rents of that family to go forward at interest for the use of the commonwealth, until the rest of the younger children shall conform themselves.

And there must be clauses and provisoes in the Act of Parliament, that if any heir of the family, or any younger brother or sister shall pretend conformity in religion as aforesaid, and by that means come to get the two-third parts of the land or other patrimony, or any portion of the rents out of the bank, and shall afterward relapse into Popery ; that then the whole estate, patrimony or portion, of him or her so relapsing, shall escheat to the use of the commonwealth for ever, to be employed in the uses aforementioned.

And if none of the family shall, in three descents, conform themselves in religion, then the whole sum of rents received, and the two-third parts of the patrimony seized, shall escheat to the use of the commonwealth for ever, to be employed in the uses aforementioned.

Many other considerations are to be had for constraining an integrity in those that manage this work, and keep the banks and receipts of money. But this

confused relation will give your lordship a model of the frame ; and if your lordship find the House inclining to entertain it, I shall then take more pains to polish it fit for their view ; my affections being sincerely bent to serve the Church and State in what I am able : and for the present, the late conspiracy and insurrection in Ireland must give us warning to prevent the like in this land. The storehouses of munitions must be guarded with some extraordinary care ; and every county should have some person deputed in nature of a Lieutenant General, to whom all persons should resort for direction, in case any commotion should happen ; and some order of Parliament or proclamation to be issued, restraining the Popish party from conversing together, or travelling further than the next market-town. And where any person of that profession is conceived to be of dangerous intelligence, or able to contrive, or act a mischief, his person should be restrained ; for although I think they of themselves are not able to do much hurt, yet I fear there are other humours in the body politic of this state, that are made fluid, and will move with them when there shall be opportunity. In this wapentake where I live, there are 532 recusants of one sort or other that pay poll-money to the subsidies ; and it is not amiss to examine all the subsidies' rolls through the kingdom returned into the Exchequer, that a calculation might be made of their number and power.

Of other matters I shall write to-morrow, if I get leisure, for it is like to be a troublesome day ; the new burgess is to be elected at Knaresborough, for which William Derelove stands, and intends by faction to carry it ; of which I shall give your lordship account

hereafter.\* In the meantime I wish much increase of happiness to your lordship, and remain,

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

11th November, 1641.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT WESTMINSTER.

MOST NOBLE LORD,

UPON Wednesday last, Sir John Goodrick and I met at Knaresborough, to take Mr. Hardcastle the head-constable's account, who tendered to us only a note of the sum total of certain estreats, made by the Justices of Peace ; but neither charging himself with any particular receipt, nor discharging himself ; otherwise than in general words, saying he had paid all he had received and more, and that the country was indebted to him. We were not provided to charge him with anything, excepting he would charge himself ; and therefore we were forced to dismiss him at this time, until the quarter sessions ; and seeing he will not make up his own charge, I know no other way, but to issue warrants to all constables to bring in accounts, what they have paid to him, at any time, since his entry, and then examine how he acquits himself of it.

If your lordship know either any other more certain or speedy course, or any particulars wherewith he is chargeable, I desire to be directed by your lordship,

\* The result of this election of a burgess in the place of Mr. Henry Benson, expelled for selling Protections to persons who were not his domestic servants, has been noticed already. See p. 260.

and we shall proceed accordingly. I suppose he ought to account for all Ship-money which he assessed, and to give account why he did not observe the Justices' rates in taxing thereof; and for money received of the county for the King's carriage, for setting forth soldiers, for pay of soldiers, provisions of arms and magazines, and for other extraordinaries, as well as the Justice' and ordinary assessments. It is said, that William Wyncop, of Knaresborough, who was last collector of the Ship-money, hath a good sum in his hands of that money, which, methinks, it is reason he should account for; and let it be employed for some general good, or else restored to the parties. Mr. Bateson, the school-master of Knaresborough, whom Henry Benson and his faction have brought in and placed there, contrary to the Charter and rules of foundation, ought to be removed and a more conformable man placed there; for he teacheth many recusants' children, whom he suffers to be absent from church, contrary to the canon; and he speaks against reducing the communion-table to stand east and west, and sundry other matters that render him justly suspected not to be sound in his religion. Sir Francis Trapps and others of the feoffees for the school are recusants, and six of the feoffees are dead and their places void, and no meeting to elect others in their stead; and here is William Roundell and Peter his son, that will not meet unless Sir Henry Slingsby write to them. If they would all meet and elect six new feoffees that are conformable, the school-master might be displaced, and a fitter man put in.

I perceive there is some expectation that the King will pardon the recusant rebels of Ireland, which in



my weak judgment is rather an act of clemency than providence : for though some say, that sovereignty and reformation of religion are inconsistent together, yet I am confident that advantage might now be taken upon this revolt, both to make a more perfect settlement of religion, and also to advance the sovereignty in matter of revenue ; and likewise in a good measure to recompense the expense of the English nation, whose subsidies are like to defray the charge of the wars, and therefore deserve a share in the conquest. But in this point the English-Irish, now about London, will not advise ; no, nor the State of Ireland, I fear, least it may concern themselves. Howsoever, if it proceed to a war, the sending of money into Ireland must be avoided ; for by it the rebels (being master of the field) shall be maintained, and maintain themselves with arms that foreigners shall furnish. Provender, apparel, victuals, and munitions must be provided, and the King's army furnished with them from his storehouses and magazines ; and no silver coin sent into that kingdom, but some base coin of copper must be made and sent over, which for a time must be current, and decried again upon the settlement of peace.\*

The Declaration of the Parliament comes forth very seasonably, because the Anti-parliamentarian faction begin to extenuate the fruits of their long session. I hope I shall have a copy of it from some hand, for I much desire to see it. And I think it were necessary

\* Mr. Stockdale's idea of treating the recusant rebels in this dishonest mode, was in unison with the intense bigotry then pervading all sects. To differ from another in religion was to announce, probably, that each considered the other without the pale of the ordinary humanities of life.

to print a bill of the names of all those who voted for the printing and publishing of the Remonstrance or Declaration, and also of those who voted against the publishing of it, that the country may take notice of their friends, and know how to elect better patriots hereafter.

I hear that strict watches and some musters and trainings are kept in some counties. If it be for any doubt of the recusant party, I think we have as much need of caution in that point as any county in England; yet no direction is come hither, that I know. If your lordship conceive it requisite, I hope you will cause some seasonable directions to be given herein.

Henry Benson keeps close in his own house, and the recusants daily resort to him ; and I am persuaded he will profess himself of their religion, and hath some hopes of employment that way, from the Queen's side. I hear for certain that Sir Henry Ludlow is his great friend still.

There should be an honest able man speedily placed in the place of steward and bailiff at Knaresborough ; and seeing Roger Dodsworth is not in the way, I hope your lordship will name a man worthy of the place, or put in some to exercise it for the present, until a more fit choice be thought upon. Here is a rumour at Knaresborough of a new election, and Henry Benson hath sent about the town ; but I hope we shall first have a new bailiff.

I fear I have wearied your lordship with reading ; now I will conclude, and am

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*3rd December, 1641.*

Your lordship's letters even now received, make me doubt that William Derelove shall be admitted to sit in the House before the election be examined, which seems to relish either of some extraordinary favour, or else the very active labouring of friends. For though some bailiffs and stewards may peradventure have been admitted sometimes ; yet I think it was only in place where they had no competitors, and so no exception taken at them. And there are other considerable exceptions against Derelove, all which are more aptly examined before his admission than after. Sir William Constable tells me this day, that his patent of office contains a farm of the profits of the place at 20*l.* rent, which must of necessity occasion great oppression, seeing he only reaps the benefit ; and being judge, it will be conceived he will decree whatsoever may advantage himself. I wish I had sight of the copy of his patent, that I might enquire of such abuses, as the form of his patent hath encouraged him to commit, in hope to escape undescried.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, BARON OF CAMERON, IN WESTMINSTER.

MOST NOBLE LORD,

THE last week's report has filled this country with astonishment, and fears of some disaffection seeming to arise between the King and Parliament, his Majesty having been so long time absent in Scotland, and now, at his return, not to vouchsafe his presence to countenance that most honourable assembly,

but declare rather some misapprehension of them, by commanding the discharge of their guard. We hope and pray for a better unity, and we think that both the affairs of Church, the Crown and commonwealth, do require it. And truly, if speedy and unanimous resolutions be not taken to limit the recusant party, and restrain the increase of sectaries at home, and to suppress the growing rebellion in Ireland, it is much to be feared that our happy peace will soon change into a chaos of miseries that threaten to fall upon this empire, which God avert.

Our town of Knaresborough is filled with report that their burgess, Derelove, is to be admitted, as soon as a Lord Steward is appointed, who may give him the oath, which is the only bar that keeps him out, for on Monday last came some letters from him by Mr. Norton, as I hear, wherein Derelove writes to Harry Benson that Mr. Alderman Hoyle, of York, assures him of his admittance when once his oath is taken, notwithstanding the objections against him, which are (as he writes) only his being steward and bailiff of the town, and that he is a man of no estate : and he saith that Alderman Hoyle tells him that his father is not disabled to sit in any future Parliament, but that being elected, he is capable of it. The letter hath raised their spirits, which hitherto have drooped in suspense of his admittance ; and, truly, I cannot yet think that he, Derelove, is capable of being burgess, considering the orders in Parliament in former like cases. But if it be a fate that especially attends this borough, to send up men to serve for it who must live upon the employment, then we must all submit to fate. These matters



are the object of this week's progress with us, which shall conclude these lines. I wish to your lordship long continuance of health, and increase of honour, and am,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

10th December, 1641.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

SINCE my last, wherein I desired some resolution touching the review of the poll, I have seen the order made in Parliament, dated 9th September, 1641, and a letter from the Speaker to Sir Thomas Gower, our sheriff, which have resolved me in those points for which I troubled your lordship ; and I think upon Monday next we shall meet at Wetherby Sessions, and then resolve of a convenient day for assembling this wapentake. And I hope every man will show himself willing to rectify the gross contrivances of the assessors, where they shall be discovered, that the pressing occasions of the State, which concerns us all alike, may be supplied with equal contributions. And truly, if the well-affected subjects in the country do but view and consider the indefatigable endeavours of the gentlemen employed and entrusted for them in that House, and the great benefits that we and our posterity are like to enjoy by them, it cannot choose but induce us all to comply in a sincere pursuit of those services which shall be enjoined us by that honourable assembly. But I know that even

there, you are sensible of a spirit that operates with much vigour in matters tending to the injury of the purity of religion and legal liberty of the subjects ; and I doubt not but you know the same spirit works in the country, as well as in the Court, and draws a party with it. This clashing in the House, between the Lords and Commons (if it be not speedily reconciled) will beget the like distances in the country ; yet I doubt not but that the right shall in the end prevail, if the favourers of it continue constant. I only fear that this discountenancing and turning out of the well-affected officers may discourage the generality in their perseverance. It will rest principally upon the labours of that House, to encounter and overthrow those councils which persuade the placing of unworthy men where the King is pleased to displace others : yet if good men be placed in such eminent places of trust, the peril is less. I have not heard that ever the Lieutenancy of the Tower was placed upon a desperate person, but for some desperate design. The King's goodness will, I hope, hearken to the advice of his Commons, which is the major and more infallible part of his great councils, especially in those things wherein a considerable number of his nobles do join with the Commons. I perceive his Majesty hath published an Answer to your petition, which in my conceit doth little weaken what you have declared only in the point of councillors : it may give occasion to you to name the persons faulty, and their crimes, which your modesty, in the Petition and Remonstrance, hath not declared. And in these levies for Ireland there must be great care taken to send over commanders well affected in religion, lest

they may be made use of to ends contrary to the good intentions of the Parliament. I wish the Scottish succours were landed in Ireland, to give countenance and strength to the afflicted and miserable party of the Protestants ; for it is visible that our English succours are like to move slowly, such power have the Popish party in the councils and designs of this State. Some great plot they have in hand, though secretly carried ; for it is reported that here are dubious words cast out, like those about London, wherein the Papists pray continually for good success, but in what it is not known ; and other like words of doubtful construction : that before long time there will be some great alteration, which I hope shall not be for the advantage of that profession. The insurrections of the apprentices (as all ungoverned multitudes) are of very dangerous consequence ; but God, who works miracles, can, out of such violent actions, bring comfortable effects ; which I beseech Him grant to this much distracted empire : and truly, the like and much more violent tumults in Ireland, for unjust and irreligious pretences, seem to give warrant and precedent to an opposite irregularity of the same nature, which is for just and religious ends in this kingdom.

The last week I sent Sir William Constable such proofs as he desired, to justify his petition against Derelove's election. Amongst others, some were to prove that he did exercise the place immediately before and presently after the election. If he need more particulars than I have already sent him, he may instance, that about fourteen or twenty days before the election, my cousin, Tom Vavasour of Newton, came to William

Derelove, and desired warrant to arrest Mr. Christopher Townley (then in Knaresborough), and Derelove himself carried Vavasour to his office (as he termed it), and there writ and subscribed the process, and delivered them to him, and took his fees as bailiff and steward for the arrest. They make proud boasts amongst this deluded people what great friends William Derelove hath in Parliament and Court ; and William Conyers saith, that if William Derelove be rejected, yet he will be elected ; for one of them, he saith, will have it. But they are neither worthy of the place, nor worth so much labour as they impose upon your lordship in reading their follies. I still hope that when Sir William Constable shall appear in his own cause, his opposite's unworthiness will then appear more visibly to the House. He set forward this last week, and I hope is safely arrived at London before this day, which I should much rejoice to hear, for we had extreme ill weather when he set out, which agrees not with the weak constitution of his health.

If the cold weather were once past, I am resolved to take a journey to London, to wait upon your lordship. I hope about February the natural tempests of the weather, and the political tempest of the State, will be more spent, and the season incline to more serenity, of which I much desire to be a spectator ; and if the fate of England deny me that happiness, yet I hope I shall at least see your lordship in health, which will be no small joy to me, that am

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

*January 7th, 1641. (N. S. 1642.)*



TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

THE last week's post brought us such heavy news, as hath caused great fear and sadness in the well affected subjects ; and, on the contrary, has much rejoiced the Papists and others that were ill affected, who all hope for advantage by such distractions of the State. And my conceit is, that it is a mere plot and stratagem of the Jesuit party, to set a jealousy between the King and the Parliament ; now at this instant to hinder their conjunction to repress the Popish rebellion in Ireland, that so that party may have opportunity to become absolute masters of that whole kingdom, and constrain the King and State, either to undertake a most dangerous and chargeable reconquest of the country, or else to grant them pardon, with free exercise of religion, and restitution of all lands planted with English Protestants ; and by that means make it impossible ever to plant the reformed religion there again.

On Tuesday last, there were some directions showed me, sent to our new sheriff, from your lordship and Mr. Bellasis, for return of the country's billet, where it is wanting, for these parts. I sent your lordship, about three weeks' since, the copy of that taken by Mr. Ingilby and myself, which I hope came to your lordship ; yet, to prevent the country's loss, I shall join with Mr. Ingilby and send another copy. Nevertheless, I would gladly know whether that which I sent did

come to your lordship's hands or not, because of my letter wherein it went inclosed.

On Tuesday next we have appointed to meet about the review of the poll, in which I fear we shall find much backwardness, because it is generally divulged here that no part of England have yet made any review. I desire your lordship would be pleased to let me know if any parts of the South have yet reviewed that cess, and whether their reviews be returned into the House or not ; and it will encourage us to go on with more confidence in the work.

On Monday last, the quarter-sessions were held at Wetherby, where the business held us two days ; no matter of great moment coming to the court : the business was for the most part of petty differences. Yet one thing fell out which I will make bold to impart to your lordship : I had sent William Warwick, of Knaresborough, to the jail at York, for suspicion of coining money, being treason, and some other suspicions charged on him. His wife bringeth a petition to the sessions, and in it desires that the Bench would bail her husband. The justices all of them denied to grant it, as a thing without their commission. Nevertheless, Robin Benson and his clerks in their chamber on Monday in the evening, without direction of the justices, take three sureties bound that Warwick shall appear at the assizes ; and then they make an order of court in name of the justices then holding sessions, directed to the jailer to deliver William Warwick, and sent it away for his delivery by those who solicited it ; having neither hands nor consent of any of all the justices then at sessions : being Sir John Goodrick, Mr. Stanhope, Mr. Hopton,

Mr. Marwood, and myself. Mr. Benson is a great friend of Warwick's ; and, peradventure, Warwick may be acquitted upon his trial, for it is a difficult matter to find any man guilty of that kind of crime ; yet, howsoever, it was a high presumption in Mr. Benson, being only a minister of the court, to do such an act, without and contrary to the vote of the Bench. I do the rather acquaint your lordship with this, because I have observed in some matters of late, Mr. Benson hath run in an opposite course to your lordship, and now you may consider whether or not he have deserved blame in this act.

In my conceit it would much conduce to the strengthening and fortifying the resolutions of the Protestants against the Papists, and their attempts in England, to have a book published and dispersed in print, containing all the true and certain advertisements and relations which have come to the Parliament, or the Lords of the Council, touching the slaughter and murder of the Protestants in Ireland, and the cruelties exercised upon them by the Papists ; for I find that the daily resort of the distressed Protestants of Ireland who come hither driven from their habitations by the Papists, do animate the people here against the Popish party, and make them distaste them exceedingly, which is one good effect of many evils. I wish this week's advertisement may bring us some good inclination of the general affairs there, and in particular of your lordship's good health, which is much desired by

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*January 11th, 1641. (N.S. 1642.)*

We have somewhat departed from chronological order by including in this Chapter the entire of the foregoing letters ; but we have done so for the purpose of considering, without interruption, the series of important events, which occurred in such rapid succession between the King's arrival in London from Scotland, and his final separation from the Parliament.



## CHAPTER VIII.

Change in the King's manner—His improved position—Scotch Party—Irish Papists—London Royalists—King's sanguine expectations—King's entrance into London—The Festivities, Procession, &c.—Refuses a Guard to the Parliament—The Remonstrance—Detail of grievances and their remedies—Stormy Debate upon it—Protestation against its being printed—Falkland and Cromwell—Remonstrance presented to the King—Its importance—His three chief Advisers—Hyde declines the Solicitor Generalship—Prepares a Reply to the Remonstrance—House of Commons make efforts to relieve Ireland—Rebels apply for peace—Impressment of Soldiers—Peers and Commons differ—King commits a Breach of their Privileges—Jealousy of his military control—Suspicious movements—Parliament again applies for a Guard—Faithless reply of the King—Tumults—First application of the term "Round-head"—Private plotting to seize the five members—Letter from Mr. Stockdale—Value of Strafford's Yorkshire Estate—Progress of the Moderate Party—King attempts to seize the five members—Captain Langrish and the Countess of Carlisle give timely warning—Narrow escape of the members—The King's Address—Outrageous conduct of his attendants—Consequences of this violent and illegal proceeding—This violence suggested by Lord Digby—Queen coincides with him—Probable Motives—The King's advisers disheartened.

ALL contemporary authorities afford us testimony, that from the day of the King's return to England from his last sojourn in Scotland, the tone of his intercourse with the Parliament had an acerbity and sternness which had never before characterised it. No other authority need be quoted than Mr. Hyde, who, in more than one paragraph of his memoirs, relates the frequent occasions he had to regret and to moderate "its sharpness." \* To detect the cause of this change requires no great perspicacity, for it was the alteration

\* Clarendon's Autobiography, 53, &c.

to be expected in a mind so constituted as was that of Charles, when he perceived, or believed that he perceived, his power once more in the ascendant, and that he might venture to exhibit the ill-feeling he so long had been compelled to conceal. He had been retreating slowly, reluctantly, doggedly, but the time appeared to be now come for recovering what he had been obliged to yield, and he could not resist the inclination to vent his spleen even before the time for attack had arrived.

Charles was persuaded that he had established a friendly connection with the predominant party in Scotland—he intimated as much in his marginal replies to Sir Edward Nicholas, as we have observed, and that persuasion gave birth to the first sentence of the address, with which he met his English Parliament—"I have left that nation (the Scotch) a most peaceable and contented people, so I was not deceived in my end."\*

The Papists in Ireland, too, were in arms; and though their sanguinary massacres involved all English Protestants, yet if they took part with either of the two great contending parties in England, that aid would be given to the King and Queen, who had all the English Papists among their supporters,—certainly not to the Puritans, who hated them with the hatred of zealots, and who waged a persecution against even the painted glass and church pictures, which savoured of their ritual. We may estimate this sectarian feeling from the facts that the sober-minded Mr. Stockdale recommended the confiscation of all property belonging

\* Parl. Hist. II. 966.

to Roman Catholics, whilst some proceeded so far as to advocate retaliation upon them for the Irish Massacre.\*

England, also, gave signs that the fickle breath of popular favour was veering from the Parliament to the Royalists. The Lord Mayor of London had led forth its citizens to welcome the King on his return, and "moved with great indignation to see the City so corrupted by the ill artifices of factious persons, had attended upon his Majesty at his entrance into the City, with all the lustre and good countenance it could show, and as great professions of duty as it could make, or the King expect."† Sanguine in magnifying every gleam of returning influence, Charles did not merely accept it as an omen of brighter days, but as a signal that victory sat upon his helm. He showed this by a course of conduct not to be mistaken. He did not stand alone in his opinion. "Many people," (we are quoting the words of a truthful contemporary,) "many people, ill-affected to the Parliament, gave it out, in ordinary discourse, (*non ignota loquor*,—it is a known truth) that the City was weary of the Parliament's tedious proceedings, and would be ready to join with the King against them. Whether it begat the same opinion in the King I cannot tell, but certainly some conceived so, by actions which immediately followed, expressing a greater confidence against the Parliament than before."‡

Most certain is it that the civic welcome was attended with unwonted demonstrations, and such

\* A commission was issued to certain parties, empowering them to destroy crucifixes and other public decorations having reference to Roman Catholic ceremonies.

† Clarendon, I. 254.

‡ May's History of the Parliament, II. 18 ; Breviary of the Civil War, 36.

expressions of active devotion as might have dazzled one who had a clearer view of the probable future than was characteristic of Charles. Attended by the Queen, his children, and the chiefs of his household, he approached London from Theobalds, on the 25th of November. From Stamford Hill, the sheriffs, with a body of javelin men "in scarlet cloaks and feathered hats," guarded the royal *cortège* to Kingsland, from whence "through the fields into Moorgate, the banks were cut down, and bridges with planks set up for the better passage"—a provision not a little needed at that season, and in those times of "roads marvellously bad."

At the entrance of the fields was pitched the Mayor's tent, in which were assembled the nobility and civic authorities, waiting to kiss the hands of their Majesties, "joying the King's happy return," and to weary him with an address more than long enough for that season, so unpropitious for out-door exhibitions. That address, however, among others which equally bespoke the hopes he cherished, contained this sentence:—"I can truly say from the representative body of your City, from whence I have my warrant, that they meet your Majesty with as much love and affection as ever citizens of London met with any of your royal progenitors, and with as hearty a desire to show it fully."\* Charles seized gladly on the promise of aid in the leading sentence of his speech, replying—"Now I see that all these tumults and disorders have only risen from the meaner sort of people, and that the affections of the better, and main part of the City, have ever been loyal and affectionate to my person and government."

\* Rushworth, V. 429.



The Lord Mayor and Recorder were knighted on the spot ; and the King mounting his horse, then rode in procession to a festival in the Guildhall.

The cavalcade was gorgeous, and far too lengthy to be particularised ; but among "the city bravery" were "citizens in velvet coats with chains of gold, well-mounted, to the number of five hundred, two and two, selected out of the companies, who were distinguished by several trumpets and horsemen wearing the ensign of each company at the head thereof, every man having his footman in suit and cassock, with ribbon of the colours of his company." The aldermen, "on festive deeds intent," were there of course, with trumpeters, pursuivants, gentlemen of the Privy Chamber, noblemen, and all the usual panoply ; and the streets from Moorgate to Temple-bar were lined by the livery companies in full costume, "with their several banners and ensigns ;" and, as a superlative demonstration of aldermanic joy, "the conduits, as his Majesty passed, ran claret wine."

The feast concluded, more knighthoods were bestowed ; and the Court passed on, "attended by the whole city to Whitehall." The concord, however, seemed so full and heartfelt, that the outpouring on this occasion did not suffice to give the loyal citizens relief. So a week subsequently, the authorities waited upon the King, thanked him for the honour he had conferred upon them, and besought him to spend his Christmas among them, because such "residence would give a good quickening to the retailing trade, and by consequence to the merchant." This request was grateful to the King, and readily granted ; but it was still more gratifying to hear from the civic authorities the assurance that "some late

disorders about Westminster," occurring since his return, did not arise from "the body of the City, or the better sort of citizens," but from "the meaner sort of people" of its suburbs.\*

Emboldened by the assurances he had received, confident that in every division of the kingdom his cause was in the ascendant, Charles lost not a day before he evinced the bolder front he proposed to turn towards the Parliament. On the 26th of November, the very day after his arrival in London, he ordered the guard about the Houses of Parliament to be withdrawn. They petitioned in vain for them to be restored, but could obtain no further acquiescence, than that "some of the Trained Bands (of the City) should wait upon them for a few days," and the monition was added, that "when Parliament should desire of him any extraordinary thing like this, and what appears of ill consequence, that they give him such particular reasons as might satisfy his judgment, if they did expect their desires to be granted."† This tart reply did not conclude the negociation, for the spirit of discord was between them, and the Commons persisted in their application, giving as their "particular reasons," such facts connected with his Majesty's late proceedings in Scotland, the Irish Rebellion, and rumours from abroad "that there should be a great alteration of religion in a few days, and that the necks of both the Parliaments should be broken," which though failing to alter the King's resolve, could not fail to be annoying and exasperating; especially, as they added this somewhat more than petition, that "to have a guard of any

\* Rushworth, V. 433.

† Parl. Hist. II. 941.

other (than the Earl of Essex) not chosen by themselves, they can by no means consent to ; and will rather run any hazard than admit of a precedent so dangerous both to this and future Parliaments." \*

The reasons they urged were powerless to convince the King ; so the guard was withdrawn ; but the Commons, nothing daunted, proceeded in their onward course to render the King yet more powerless. Indeed, it was impossible for them to remain passive, now that Charles was gathering strength and allies, regardless of the sacrifices by which they were purchased.

A Remonstrance some months before had been in agitation, but had been allowed to sleep until the King's proceedings in Scotland, and the efforts of the royalists in the City became known. The preparation of that Remonstrance, to warn the people from a relapse to the misrule from which they had been rescued was then revived. "It came forth," as Mr. Stockdale observed, "very seasonably, because the Anti-parliamentarian faction began to extenuate (depreciate) their long session." †

The Petition which accompanied that Remonstrance asked Charles to consent to the removal of bishops from Parliament, and that he would be pleased to employ no one in the great offices of the State but such as the Parliament "may have cause to confide in."

The Remonstrance itself gathered together, in one series, and in strong vituperative language, every instance of misgovernment and despotism since the King's accession to the throne. The employment of the fleet against Rochelle ; "the expensive and successless attempt upon Cadiz ;" the wars and paci-

\* Parl. Hist. II. 942.

† See p. 289.

fications with France and Spain, "without consent of Parliament;" the abrupt dissolutions of that portion of the legislature; the extortion of money by Privy Seals, Knighthood-money, Ship-money, Monopolies, and other illegal modes; the disregard to the Petition of Right; the breach of Parliamentary Privilege by the arrest of the members of the Commons; the death of Sir John Eliot, "by the cruelty and harshness of his imprisonment," "his blood still crying for vengeance, or repentance of those ministers who at once obstructed the course of justice and mercy;" the cruelties of the Star Chamber and other illegal courts; the displacing and overawing of the judges; the pricking of sheriffs for political purposes; the emigrations to America to avoid the tyranny which oppressed these realms; the perversion of the pulpit to be an instrument of State; the attempted enforcing of Episcopacy upon Scotland, its ruinous consequences, and the attempts of some to change the nation's religion, were all pourtrayed with unmitigated asperity, as well as the benefits arising from, and the opposition to, the Parliament's successful efforts for their removal.\*

No more striking proof of the increasing strength of the royalist party can be adduced than the debate upon that Remonstrance. It was only carried by the votes of 159 opposed by 148; and the contest was prolonged to a length which was then unprecedented. Mr. Hyde and the Court party argued that it was unnecessary and unseasonable, for the grievances were removed, and the King only just returned from consenting to reforms in the sister kingdom. But the opponents of

\* Parl. Hist. II. 943—964.



the royalists replied, that the danger of being deprived of all the good they had now so hardly won was imminent, "if great care and vigilance were not used to disappoint some counsels which were still entertained.\*

Every art, we now know, was employed by each party to obtain a majority, yet so satisfied were the reform party of a victory, that they ridiculed the idea of a protracted debate. When postponed at the desire of Lord Falkland, for the purpose of being entered upon early in the day, Oliver Cromwell, "at that time little taken notice of," asked him his reason, "for that day would quickly have determined it;" and upon Falkland replying "it would take some debate," Cromwell retorted, "A very sorry one."

On the following day the debate commenced, and continued "with much passion" from nine in the morning until after midnight, and was carried in favour of the remonstrance by the small majority just named. Hampden then proposed that it should be forthwith printed, which "waked the war anew," and "produced a sharper debate than the former." "At three of the clock in the morning," says the member for Radnor, Sir Philip Warwick, "I thought we had all sat in the valley of the shadow of death; for we, like Joab's and Absalom's young men, had caught at each other's locks, and sheathed our swords in each other's bowels, had not the sagacity and great calmness of Mr. Hampden, by a short speech, prevented it, and led us to defer our angry debate until the next morning."†

\* Clarendon, I. 246.

† Warwick's Memoirs, 202. The proposal to print was then lost, by 124 in opposition to 101; but was carried on the 14th of December, by 135 ayes against only 83 noes.

The fury with which the House was excited was exasperated by the consciousness actuating both parties that upon the publication of the Remonstrance alone depended its public influence. It was not a Bill, therefore the concurrence of the Peers was needless ; but it was an appeal to the people. Hyde, with more warmth than reason, argued that the printing was not lawful, and, as he believed it would be productive of mischief, if the vote for printing were in the affirmative, he should ask permission to record his protestation against it. Mr. Jeffrey Palmer "a man of great reputation and much esteemed in the House," followed in the same course ; but others of the same party, "without distinction and some disorder," cried out together, "We protest — We protest." This is Clarendon's account, and we may accept it as truth, since it is to the disadvantage of himself and friends. It was at this moment that Hampden moved the adjournment ; and as they retired from the House, Lord Falkland roused Cromwell with the query, "Well, has there been no debate ?" Cromwell replied that "he would take his word another time," adding in a whisper, "if the Remonstrance had been rejected, he would have sold all he had the next morning, and never have seen England more."\* He did not stand alone in that

\* Clarendon, I. 247. Mr. Palmer was committed to the Tower for his protest, and conduct contrary to the rules and privileges of the House. Even Hyde narrowly escaped a similar fate ; and if any one deserved so sharp a reproof, he was the most entitled to the visitation. The protest, in case of necessity, had been a preconcerted measure ; for Sir E. Nicholas, writing to the King, on the day of the debate, November 22, said, "The Commons have been in debate ever since twelve at noon, and are at it still, being now near twelve at midnight. I assure your Majesty there are divers in the Commons' House that are resolved to stand very stiff for rejecting that Declaration, and if they prevail not, then to protest against it."—*Evelyn's Memoirs*, II. 80.

resolve, for it would have been a demonstration that the Court party was prevailing, and then England would have been no place of safety for the Roundheads. The motion for the order to publish was lost by a small majority, but a resolution was passed to the effect that it might be printed by a special order of the House ; an order which was soon after given.

On the 1st of December, the Committee appointed by the House of Commons, reported that they had presented the Remonstrance to the King on the previous evening at Hampton Court.\* Sir Edward Deering had been selected to present it, but declined from even accompanying the Committee, and that duty devolved upon Sir Ralph Hopton, an ardent royalist. When brought into the presence of the King, they knelt, but he commanded them to rise, and then listened without comment to the Remonstrance, until that portion was read denouncing a malignant party about his person, who designed to effect a change in the established religion, which Charles denied with more energy than courtesy, hoping “the devil might take” any one who purposed such an alteration. The reading concluded, the King inquired whether the House intended to publish that Remonstrance, and the answer being undecisive, he added—“I suppose you do not expect a present answer to so long a petition ; but this let me tell you,” (and it was a fact totally irrelevant, but weakly introduced as a remembrance of his improved power,) “I have left Scotland well in peace : they are well satisfied

\* The committee were, Pym, Sir Symon Dewes, Sir Arthur Ingram, Sir James Thynn, Sir Henry Bellasis, Lord Gray, Sir Christopher Wray, Lord Fairfax, Sir Ralph Hopton, Sir Richard Winn, Sir John Corbet, Sir Edward Deering, and Sir Arthur Haslerigg.—*Rushworth*, V. 436.

with me and I with them, and though I staid longer than I expected, I think if I had not gone, you had not been so soon rid of the army. I shall give you an answer to this business with as much speed as the weight thereof will permit."

Charles was right in his estimate of that manifesto. It was indeed a weighty and startling catalogue of evils and despotic acts to which he had clung, and of cruelties and tyranny exercised in order to retain the power of repeating them. It exhibited in a concentrated form the faults and calamities incident to absolute monarchy; and by showing how the power to re-iterate those calamities had been restricted, presented in most strong and most favourable contrast the safeguards and the blessing of a government more balanced by popular influence. If there had been no House of Commons, all the oppression would have yet weighed down and shackled our liberties and energies.

Charles was with good reason anxious that this black roll should not be unfolded to the public eye. But his anxiety could not delay its publication, and, as his only resource, a plausible reply was agreed to be issued, though a satisfactory answer was hopeless. His three principal advisers were now Lord Falkland, Sir John Culpepper, and Mr. Hyde, three seceders from the ranks of his opponents; and it is curious, as well as big with instruction, to observe that they, as well as others of his best advisers and staunchest adherents, in adversity as well as in brighter seasons, were furnished by the popular party.\* Had their advice been followed, free

\* Lord Falkland was Secretary of State; Sir John Culpepper, Chancellor of the Exchequer; Earl of Essex, Lord Chamberlain; St. John, Solicitor General; Lord Savile, Treasurer; Littleton, Lord Keeper; and Herbert, Attorney General.



as it was from faction as from despotism, the blood of England would not then have been poured out in domestic warfare, nor would Charles have died upon the scaffold.

Mr. Hyde held no official appointment. The Solicitor Generalship had been pressed upon his acceptance both by Charles and his Queen ; but Hyde's hearty reply of "God forbid!" was sustained by too many cogent reasons to be over-ruled. It was true, that St. John, who held the office, was not a character "that would ever do much service, but he would be able to do much more mischief if removed ;" \* and Hyde, unconnected with office, would be more free to act, and more above suspicion of being actuated by the duties of his appointment. Not that it was possible for him to escape from being known as one of the King's most trusted advisers. It could not be concealed for any length of time, that upon every consultation, Charles never decided how to act until he had ascertained "whether Ned Hyde was of that mind."† His friendship too, with Lord Digby, one of the most favoured, though not the most worthy of courtiers, was well known ; and at his lodgings Falkland and Culpepper met him in nightly council.

Digby at this juncture coming to Hyde's house, the latter read to him an answer he had prepared to the Remonstrance of the Commons. That answer, we are told by its author, was written "only to give vent to his own indignation, but without the least purpose of communicating it, or that any use should be made of it ;" a statement difficult of credence, when we know that he was the King's most influential adviser, and the

\* Clarendon's Autobiography, 46, folio edition.

† Ibid. 51.

one to whom he looked for the preparation of all his public papers.\*

Whatever might have been the intention, Charles prevailed over Hyde, though "it might prove ruinous to him," to allow the answer to be published as if emanating from the King; and thus commenced that war of pamphlets in which the encounters were at the least as numerous and quite as vindictive as those between the same partisans in the field.

The "Answer" was read to the King's Council, and being approved by many, and opposed by none, it was published as "with their advice." Its author may be pardoned for observing "that the King's service was very much advanced by it;" but any one who now bestows upon it a perusal, will certainly coincide with the less biassed contemporary, Mr. Stockdale, that "that answer doth little weaken what you (the Parliament) have declared."† It contains no defence of former misrule, no confession of improved laws, but declares that "in few words, we shall pass over that part of the narrative." But it laments "as not the least of misfortunes," that the high prerogative advisers of the Crown had not been retained, though excepted to by the Parliament; and it throws the blame upon the House of Commons, that the Irish Rebellion was not extinguished, inasmuch as they had refused to sanction the King placing himself for that purpose at the head of "ten thousand English volunteers."‡

The lamentation over the loss of friends, whether by exile or the executioner, was natural, and may be

\* Clarendon's Autobiography, 44, folio edition.

† See p. 294.

‡ Parl. Hist. II. 977.

accepted with respect even in that unmitigated form of expression ; but no one of well-balanced judgment will condemn the Parliament for not furnishing Charles with 10,000 "volunteers," men by their mode of enrollment and officering devoted to himself, when they remember that within a very few months he raised his standard against the Parliament itself.

It is not consonant with truth, though asserted by some, that the House of Commons delayed succour to the Irish Protestants, upon the pitiful pretext that the Peers thwarted them by objecting to the preamble of their Bill against impressment. The knowledge of the rebellion had reached Parliament on the 1st of November ; on the next day they ordered 20,000*l.* to be taken from the Treasury, and 8000 troops "to be speedily raised" for the service of Ireland, ships to be distributed round its coast, and magazines to be established for the same service.\* Similar steps were taken to direct the aid from Scotland of 10,000 men for the same object, and on the 10th of the same month an additional 4000 infantry were ordered to be raised.

The Irish rebels were fully cognisant of the approaching retribution, for they offered pacificatory terms, and on the 8th of December their application for peace on the basis of a free exercise of their religion was unanimously rejected by both Houses ; they resolving, "That they would never give consent to any toleration of the Popish religion in Ireland, or any other of his Majesty's dominions."

Instead of raising "volunteers" for the Irish expedition, as proposed by the King, it was determined,

\* Parl. Hist. II. 927.

according to former precedents, to impress men for that service. Impressment was an acknowledged evil, and one of the severest instruments in unparliamentary times, employed by our sovereigns to exile those obnoxious to them.\* A bill was introduced, therefore, empowering the impressment of men; but setting forth in its preamble, "that the King had, in no case, or upon any occasion but the invasion from a foreign power, authority to press the free-born subject; that being inconsistent with the freedom and liberty of his person." This preamble would have received the consent of the House of Peers if the Attorney General, who, like his royal master, was advancing in courage, had not requested to be heard "on the King's behalf before consent was given to a clause so prejudicial to the King's prerogative."† The Commons unadvisedly resented this interruption, and would soon have been compelled to pursue a more temperate course rather than leave Ireland without the requisite assistance, when the King, by another inconsiderate step, rescued them from their dilemma, and turned upon himself the indignation of both Houses.

Acting upon the private advice of the Solicitor General, Charles went to the House of Lords, and summoning the Commons to attend, told the assembled members, that the necessities of Ireland were so urgent that he came "to commend earnestly the despatch of the expedition." To this no objection could be suggested; but he thus proceeded,—“Seeing there is a dispute raised (I being little beholden to him who-

\* This is no surmise. Mr. D'Israeli, in his "Curiosities of Literature," has given numerous instances.

† Clarendon, I. 257.



soever at this time began it) concerning the bounds of this ancient and undoubted prerogative (of pressing soldiers), to avoid further debate at this time, I offer, that the bill may pass with a *salvo jure*, both for King and people, leaving such debates to a time that may better bear them." \* Such a proposal, if suggested by one of his ministers in the course of debate, might have been as oil poured upon troubled waters; but Charles, gaining no wisdom, taking no warning from experience, and disregarding the privileges of the Parliament, thrust himself forward to direct its proceedings on subjects yet under debate. He had done so in Strafford's case, and now, as upon that occasion, reaped the same result.

Throwing aside their animosities and strife, both Houses agreed in resolving "that the privileges of Parliament were broken," and united in presenting a protestation to the King against such interferences. Charles replied to them with becoming spirit, by assuring them that he intended no breach of their privileges, but that he would ever uphold and protect them; adding this counter-thrust, "We expect that you will be as careful not to trench upon our just prerogative, as we will not infringe upon your just liberties and privileges."† But the Houses were now unanimous upon the preamble; "so in the end," says Clarendon, "the King was compelled to pass the bill which they had prepared."‡

\* Parl. Hist. II. 969.

† Rushworth, V. 457.

‡ Clarendon, I. 259. In the meantime the Parliament had not been dilatory in forwarding some succour to the Irish Protestants. Fourteen hundred men had been landed at Dublin, at the end of December, and early in January.—*May's Long Parliament*, II. 33, &c. And Sir Richard Grenville, with Colonel

Another source of jealousy, now actively developed, sprang from the control over the military resources inherent in the Crown. Very sufficient cause for that jealousy existed, however, as it was to the Parliament that Charles, on more than one occasion, had looked for aid to that branch of his prerogative, in order to employ it against themselves. Even Clarendon tacitly admits, that if the King had been allowed to raise an army of Volunteers, "they would probably be more at his devotion than they (the Parliament) desired." He had removed from the Lieutenancy of the Tower Sir William Balfour, a man of honour, and not willing to be a courtier, to make room for Colonel Lunsford, "a man of decayed and desperate fortune," who had been one of the band of soldiers and law students carousing at Whitehall.\* Military stores had been collected at Hull; and a few days subsequently to Colonel Lunsford's removal from his appointment, he had appeared in arms with Lord Digby, and to an assembled force of about one thousand men at Kingston, had given thanks to them in the King's name, telling them "that his Majesty had brought them out of London, to keep them from being trampled in the dirt."†

Monk, followed in the next month with about two thousand more. At the same time it is certain that both the King and the Parliament were more attentive to their own rising contest than to the Irish outrages. The Parliament devoted some of the money intended for Ireland to warlike preparations nearer home; but not until Charles had made hostile demonstrations in the north, and had withdrawn for his own use both arms and ammunition from the arsenals of Dublin. Other authorities intimate that the King, far from being anxious to put down the Irish rebellion, thinking it a diversion in his favour, "was long before he could be drawn to proclaim those murderers rebels; and when he did so, by special command, there were but forty proclamations printed, and care taken that they should not be much dispersed."—*Memoirs of Colonel Hutchinson*, 75, Ed. 1808; *May*, II. 35.

\* Rushworth, V. 459. See p. 185.

† *Parl. Hist.* II. 1039. Wood endeavours to ridicule this demonstration

Seeing these attempts, the Parliament, on the last day of the year (1641) petitioned the King to grant them a guard, specifying that they wished it to be selected from the Trained Bands of the City, and under the command of the Earl of Essex, Lord Chamberlain. That they needed such a protection was demonstrated by the daily broils "occurring between the Palace Yard and Charing Cross," the combatants being the King's retainers and the mob, who sided with the Parliament.

We adverted to these tumults, somewhat out of course ; for though they began earlier in the year, yet it was at this time that they were at their greatest height of disorder and violence. At the earnest persuasion of the Lord Mayor, who warned the King that the apprentices of London would attempt to rescue the Tower from Colonel Lunsford's control, the latter was deprived of that command.\* This was on the 26th of December, but as it was not generally known, the concourse of people at Westminster, on the following day, was even more numerous than had been lately usual. Their chief cry was "No Bishops ! No Bishops !" And the Bishop of Lincoln, endeavouring to seize one of the mob, who was prominently clamorous, the people seized his lordship, and, without further injury, seem to have deafened him with the unpalatable cry. One David Hide was

(*Athenæ Oxon.* II. 579) ; but that it was a serious attempt to effect an armed interference for the King is sustained by the fact that as it was a failure, and the Commons assailed it in debate, Lord Digby fled to the Continent. Sir John Evelyn, when introducing to the Peers the articles of Digby's impeachment, said, there was proof of his enlisting soldiers for the King.—*State Trials*, II. 140.

\* Rushworth, V. 462. Some have ignorantly ridiculed these fears of the power possessed by the London apprentices. If they consult history, they will find that in those days of imperfect police they were a most formidable body.

prominent in coming to the ex-Lord Keeper's rescue; and we notice this "reformado in the late army against the Scots," because his impromptu threat that "he would cut the throats of those *Round-headed* dogs who bawled against the Bishops," was, according to Rushworth, "the first minuting of that term or compellation of *Roundheads*, which afterwards grew so general." \* Lunsford, smarting under his recent deprivation, was also there, with some thirty or forty armed friends; and these drawing their weapons, attacked the apprentices, "and some hurt was done." Reinforcements coming up "with swords, staves, and other weapons," the contest spread and became so violent, both in London and Westminster, that "the Lord Mayor and Sheriffs rode about all that night to appease the tumults; the City gates were all closed, a strong watch set in every place, as well of men in arms as otherwise, and the Trained Bands raised the next morning for the safety of the City." Even "the King commanded some of the Trained Bands of Westminster and Middlesex to be raised by turns to guard his royal person, with his consort and children, at Whitehall, where thenceforward a company or two continued their attendance day and night, by his Majesty's order." † Yet what did Charles venture to reply to repeated petitions of the Parliament for a guard? "We are wholly ignorant of the grounds of your apprehensions; and we do engage unto you solemnly the word of a King, that the security of all and every one of you from violence is, and shall ever be, as much our care as the preservation of us and our children." ‡

\* Rushworth, V. 463.

† Ibid. 464.

‡ Ibid. 472.



Charles ventured thus to reply—thus to promise—on the 3rd of January. No guard was afforded, and the most credulous will not believe for a moment but that the guard was withheld to avoid an interruption to his seizure of the five members of the Commons, which he attempted on the very following day.\* This event is slightly alluded to in speaking of Lord Mandeville in the following letter, but it will require a more detailed narrative.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

UPON Tuesday last we had a meeting here at Knaresborough, about the review of the poll, where Mr. Ingilby, Mr. Marwood, Mr. Tankard, and myself, met ; but Sir William Ingram nor Mr. Hopton, who had the body of the wapentake in charge, came not, nor Sir Richard Hutton, who was joined with me for Knaresborough Liberty ; his absence being occasioned by the office taken upon the Lord Strafford's attainder, for which he was a commissioner. I hear the office was found at Pontefract on Monday last, and his personal

\* We have good grounds for believing that the plot for seizing the five members had been some time in agitation, and that the Parliament had a hint of the intended outrage before the time of its perpetration. When the King refused to allow them a guard, they had halberds and other arms deposited in the House, for which there could be no reason, unless to guard themselves against some threatened attack. Lilly states positively that the attempt to seize the five members was one of the results of "private whisperings in Court, and secret councils held by the Queen and her party, with whom the King sat in Council very late many nights, all this Christmas, 1641."—*Masceres's Select Tracts*, I. 170.

estate valued at eighty thousand pounds, which was a vast mass of wealth to be extorted out of that employment in Ireland. We that met at Knaresborough acquainted the constables and assessors with the cause of their being called together, and gave them charge to make an impartial review of their former assessments, and to make a more exact return to us upon Candlemas-day next. And we further declared that if they should not faithfully discharge their duties, we must not only certify their misdemeanors to the Parliament, who will inflict due punishment on them, but also that we ourselves must review their return, and impose arbitrary cesses where there should appear cause for it. The country seemed resolute in their former returns, and some answered that they could not nor would not alter them.

Mr. Ingilby and I have renewed the certificate of the billet for Marquis Hamilton's regiment, and sent it inclosed in a letter by Peter Benson of Knaresborough, who sets forward to-morrow or Monday next. We still hear that the affairs there continue in a doubtful condition, and that the height of violence against the Lord Mandeville, &c. is little abated;\* though we conceive some hope is to be found in the mediation of six lords, nominated to negotiate in those differences. The great forwardness of the Londoners and southern men to

\* Lord Mandeville, better known as Lord Kimbolton, was one of the six members of the legislature impeached by the King. His lordship did not retire into the City, as did the five members of the Commons who were jointly impeached with him; but he boldly demanded at once to be tried. If the Peers had been bound by the precedent afforded by Strafford's case, they ought to have committed Lord Mandeville to custody upon the general accusation; but instead of doing so, they appointed the committee alluded to by Mr. Stockdale, to "consider of precedents and records." Eventually the King abandoned the impeachment.—*Nelson*, II. 812.

protect the Parliament in its freedom and essence, is not a little comfort to all such here as do not prefer some other end before their country's liberty and reformation of religion ; and I think it is both convenient and seasonable now for all other remote parts of the kingdom to second those southern parts, in approving their proceedings, and petitioning his Majesty for his royal concurrence with that great council ; in the freedom whereof the liberties of all the subjects are involved.

We hear nothing yet of Mr. Benson's deputy-burgess ; I suppose the House hath so many weighty matters in hand that it cannot attend him. I know of no protections that Benson had granted until of late, and now I hear of six or seven, thereabout, and in time more will be discovered. I may not waste your lordship's leisure in reading. All the rest I will say is only this : I wish a prosperous issue to the noble and just endeavours of the Parliament, and much increase of health and honour to your lordship, and I am,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*January 21st, 1641, (N.S. 1642.)*

I had almost forgotten to tell your lordship that on Tuesday last, about ten o'clock at night, one Stamford, a pursuivant, came into Henry Benson's house, to arrest him by some warrant, as I conceive, from the Parliament ; but his intention being discovered, his wife, his sons, and family, fell on him, and beat the pursuivant, and would not suffer him to take Mr. Benson, who in the scuffle had the opportunity to escape, and now is removed as they say to some other place.

That rash attempt to seize the persons of the impeached members precipitated into ruin the party which was gradually increasing in confidence and strength by the judicious aid of the King's new advisers, who wisely had sought to take advantage of, rather than to throw themselves into violent opposition to, the current of events. Time was befriending them. The moderate party in the Parliament, which in England always eventually prevails, was unfortunately weak, but had been gradually adding to its numbers, and their just fundamental principle was well expressed by a barrister (Mr. Smith), when he warned the House of Commons that "prerogative and liberty are both necessary to the kingdom, and, like the sun and moon, give a lustre to the nation, so long as they walk at their equal distances, but when one of them ventures within the other's orbit, like those planets in conjunction, they then cause a deeper eclipse."

The influence of this party of moderators, and the natural results of a continued progress in a course of reformation, gradually reduced the strength of the partisans of extreme change. The predominance of political reformers, in general, must be of temporary duration. Time usually reduces their numbers, until their party becomes a minority. Some will desert them because they act too rashly; others will withdraw their support because they proceed with too little vigour; a third section will grow weary of the constant efforts to improve; and differences will weaken by division of opinion both in determining what is faulty and what is remedial. Thus, not agreeing among themselves, they fail before a less numerous, yet more



united party ; until the deficiencies, which time will render apparent in all human institutions, or some violent outrage of the executive, again unites them to effect changes which must be unanimously admitted to be desirable.\*

That outrage the King, with suicidal rashness, now committed. On the 3rd of January, 1642, the Attorney General, Sir Edward Herbert, exhibited articles of impeachment before the House of Lords, against Lord Kimbolton, Sir Arthur Haselrigg, Holles, Pym, Hampden, and Strode. It charged them with endeavouring to deprive the King of his regal power, and to exalt that of the people ; with attempting to render the army disaffected ; inviting a foreign invasion (that of the Scots) ; subverting the rights of Parliaments ; and encouraging tumults against it and the King. The Lords attended to the impeachment. The studies and trunks of some of the accused were placed under seal, and on the same day, but previously, the King sent a serjeant-at-arms to the Speaker of the House of Commons, requiring him to deliver up the five impeached members.

The whole of this proceeding was a tissue of error. It was ill-judged to proceed at all ; it was illegal if the offences were committed by the accused in Parliament ; it was illegal to proceed against the five commoners, otherwise than by a trial by jury ; and the Peers acted illegally by entertaining the impeachment at all.

With becoming resolution the House refused to deliver up its members so accused ; but they were ordered to attend daily, and his Majesty was informed that his message should be considered, as it was of great consequence

• Life of Selden, 267.

and concerned the privileges of Parliament. Charles, however, did not require their advice ; he had resolved to adopt the suggestions of his own will. "Accordingly," says Rushworth, who was clerk of the House, and an eye-witness, "when the five accused members came this day (4th of January, 1642,) after dinner into the House, they were no sooner seated in their places, but the House was informed by one Captain Langrish, lately an officer in arms in France, that he came from among the officers and soldiers at Whitehall, and understanding from them that his Majesty was coming with a guard of military men, commanders and soldiers, to the House of Commons, he passed by them with some difficulty, to get to the House before them, and sent in word how near they were come.\*

Whereupon, a certain member of the House (Pym), having also private intimation from the Countess of Carlisle, sister to the Earl of Northumberland,† that

\* Captain Langrish was evidently of the party, of which Lilly, the historian and astrologer, formed one. The latter says, "It was my fortune, that very day, to dine in Whitehall, and in that room where the halberts, newly brought from the Tower, were lodged, for the use of such as attended the King and the House of Commons. Sir Peter Wich, ere we had fully dined, came into the room I was in, and broke open the chests wherein the arms were, which frightened us all out that were there. However, one of our company got out of doors, and presently informed some members that the King was preparing to come unto the House." See *Observations on the Life and Death of King Charles*, (1651), in Baron Maseres's *Select Tracts*, (1815), I. 171.

† This lady was a complete political partisan ; for Secretary Nicholas mentions her bringing information to the Court party.—*Evelyn's Diary*, &c., II. 24. However, in heart she was now attached to the Opposition. Sir Philip Warwick says that she was a busy stateswoman, at first attached to Wentworth, but at this period to Mr. Pym. He adds, that "she was become such a she-saint, that she frequented their sermons and took notes."—*Sir P. Warwick's Memoirs*, 204. Sir Arthur Haselrigg says, "I shall never forget the kindness of that great lady, the Lady Carlisle, who gave timely notice."—*Burton's Diary*, III. 93.

endeavours would be used this day to apprehend the five members, the House required them to depart forthwith, to the end that a combustion in the House might be avoided, if the said soldiers should use violence to pull any of them out. To this request four of them yielded ready obedience ; but Mr. Strode was obstinate, until Sir Walter Earl, his ancient acquaintance, pulled him out by force, the King at that time entering into the New Palace Yard, in Westminster.\*

As the King came through Westminster Hall, the commanders, reformadoes, † &c., who attended him, made a lane on both sides of the Hall, through which his Majesty passed, and came up the stairs to the House of Commons, and stood before the guard of pensioners and halberteers, who also attended the King's person. ‡ The door of the House being thrown open, his Majesty, accompanied only by Prince Charles, the Palatine,

\* Sir Arthur Haselrigg states : "Some of us were in the House after the notice came. It was questioned if, for the safety of the House, we should be gone ; but the debate was shortened, and it was thought fit for us, in discretion, to withdraw. Mr. Hampden and myself being then in the House, withdrew. Away we went. The King immediately came in, and was in the House before we got to the water.—*Burton's Diary*, III. 93.

† *Reformado*—An officer retained in a regiment after his company has been disbanded.

‡ Mrs. Hutchinson says, that the guard which came with Charles to seize the five members consisted of about four hundred gentlemen and soldiers, armed with swords and pistols.—*Memoirs of Colonel Hutchinson*, 76. This number is probably correct ; some authorities saying there were two hundred, and others five hundred. That the conduct of these armed men was outrageous is undenied, even by the King ; whose only plea in extenuation was a hope that he should not be prejudiced by the acts or speeches of his young and hasty attendants. They came to the very door of the House, and "thrust away the door-keepers," and would keep the door open, having their swords drawn, and "pistols ready cocked near the said door." One said, "I am a good marksman—I can hit right, I warrant you." When some of the members arrived, and their attendants wished to clear a passage for them, these armed intruders expressed no greater deference than to say, "A pox take the House of Commons—let them

entered, and as he passed up towards the chair, he cast his eye on the right hand, near the bar, where Mr. Pym used to sit, but not seeing him there, (for he knew him well,) went up to the chair and said,—

“By your leave, Mr. Speaker, I must borrow your chair awhile.”

Whereupon the Speaker came out of the chair, and the King stepped up to it. After he had paused by the chair awhile, and cast his eye upon the members as they stood up uncovered, not discerning any of the five members to be there, his Majesty spoke as follows :—

“GENTLEMEN,

“I am sorry for this occasion of coming unto you. Yesterday I sent a serjeant-at-arms upon a very important occasion, to apprehend some that, by my command, were accused of high treason, whereunto I did expect obedience, and not a message ; and I must declare unto you here, that, albeit no King that ever was in England shall be more careful of your privileges, to maintain them to the uttermost of his power, than I shall be, yet you must know that in cases of treason no person hath a privilege ; and therefore I am come to know if any of these persons that were accused are here. For I must tell you, Gentlemen, that so long as these persons that I have accused, for no slight crime,

come, and be hanged !” but did not remain satisfied with words, but disarmed some of the members’ servants ; and expressed great dissatisfaction that the members could not be secured. Some inquired, “When comes the word ?” and it was inferred that if some preconcerted signal had been given, they would have slaughtered the members.—*Declaration of the House of Commons,—Husband’s Collection*, 39.



but for treason, are here, I cannot expect that this House will be in the right way that I do heartily wish it ; therefore I am come to tell you that I must have them wheresoever I find them."

The King then enquired of the Speaker, who was standing below by the chair, "whether any of those persons were in the House ? Whether he saw any of them, and where they are ?" To which enquiries the Speaker, falling on his knees, answered,

"May it please your Majesty, I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am here ; and I humbly beg your Majesty's pardon that I cannot give any other answer than this to what your Majesty is pleased to demand of me."

"Well," continued the King, again addressing the House, "since I see all the birds are flown, I do expect from you that you will send them unto me as soon as they return hither. I assure you, on the word of a King, I never did intend any force, but shall proceed against them in a legal and fair way, for I never meant any other.

"And now, since I see I cannot do what I came for, I think this is no unfit occasion to repeat what I have said formerly, that whatsoever I have done in favour, and to the good of my subjects, I do mean to maintain it. I will trouble you no more, but tell you I do expect as soon as they come to the House, you will send them to me ; otherwise, I must take my own course to find them."

The King having concluded his speech, retired from the House, which was in great disorder ; and many members cried out aloud, so as he might hear them, " Privilege ! Privilege ! The House forthwith adjourned until the next day at one o'clock." \*

In consequence of this violent and illegal procedure, the Opposition party gained an ascendancy superior to that they had previously gained, and from which, indeed, they had been declining. The City was aroused again to declare and even to arm in their defence, and the feeling thus rekindled was communicated to and expressed by the country. Four thousand of the Buckinghamshire freeholders, Hampden's neighbours, rode to London, and expressed their readiness to die in defence of the Parliament.

The Commons appointed a committee to sit within the precinct of London, protected by a strong guard of citizens, to decide finally upon the remonstrances and reports prepared by other sub-committees. Charles, however, persisted in the course upon which he had entered ; and on the following day, a proclamation was drawn up, directing the apprehension of the five members. The Lord Keeper, Sir Edward Littleton, refused to seal this proclamation ; consequently, it was pasted up at Whitehall-gate, but went no further, being a few days afterwards suppressed by order of the Parliament, upon pain of death.†

Charles soon discovered the magnitude of the error he had committed, and in more than one written message, confessed to the House of Commons that it

\* Rushworth's Collections, V. 477 ; Clarendon's History of the Rebellion, I. 281 ; Autobiography, 46 ; Life of Selden, 270.

† Harleian MSS. 4931, 67 d.

was "a mistake," and offered to make such reparation as was in his power, by recognising their privileges, so that there could be no similar unintentional transgression in future.\* But this repentance came too late ; and the King bitterly felt, as Hacket quaintly observes, "that he had been too forward to threaten others with the sword of justice, when he himself wanted the buckler of safety."

The first instigator of the outrage was Lord Digby, who "often thought difficult things very easy, and considered not possible consequences, when the proposition administered somewhat that was delightful to his fancy, by pursuing whereof he imagined he should reap some glory to himself, of which he was immoderately ambitious."† The King, of all men living, was most unfit to have an adviser of such a temperament, for Charles was "easily inclined to sudden enterprises, and was as easily startled when they were entered upon." By what arguments Lord Digby prevailed with the King, it is now useless to enquire ; but it is not improbable, that after magnifying the strength of the royal party in Scotland, Ireland, and the City, by observing, and with truth, that all sober men were growing weary of such endless innovations, and that the members ("three parts of four" of whom were absent when the bishops were committed) "abhorred the proceedings ;"‡ he added, that thus sustained, nothing more was required than by a *coup d'état* to deprive the Reform party in the House of their leaders, and that then the game would again be in the King's hands.

This plan, we think, did not come upon Charles as a

\* Hushand's Collection, 56, &c.

† Clarendon, I. 271.

‡ Ibid. 279.

startling new device, for there is some evidence that the impeachment of the Parliamentary leaders had been in agitation before the King's last journey to Scotland, and that whilst there, he had been sedulous to acquire inculpatory evidence against them. Digby, however, did not rely upon his own unaided powers of persuasion, powerful as they were ; but he had previously communicated his plan to the Queen, and gained her advocacy in its favour. If she had not interfered, it is not certain that Digby would have prevailed with the King ; for we are told that Charles was wavering on the threshold of resolve, but was at length induced to make the plunge during a consultation in which the Queen employed this mingled reproach and menace—"Go, poltron ! pull these rogues out by the ears, or see my face no more."\* Though the King had hesitated, yet he appears before leaving the Queen to have been convinced of the good policy of the measure, for when parting from her he said, "that he was going to be the master, and that he hoped within an hour to return with more power than he possessed when now leaving her." The Queen had the same conviction, for when the hour had expired and Charles had not yet come back, she turned to the Countess of Carlisle, (who had frustrated the intended arrest) and said—"Rejoice, for by this time, I trust, the King is master in his own state."†

By this one rash act, were all the efforts of months rendered unavailing, and all the provisions of his most

\* *Memoirs de Madame de Motteville*, I. 271. Sir Arthur Hasselrigg, one of the five members, made a confirmatory statement in the House of Commons. *Burton's Diary*, III. 93.

† *Memoirs de Madame de Motteville*, I. 271.



judicious advisers made of no effect. Every favourable opinion setting in for the King was reversed, and every adherent was weakened in his allegiance. Lords Essex and Holland, his Lord Chamberlain and his Groom of the Stole, refused to obey his mandate to attend upon him, "choosing rather to obey his writ whereby they were called to assist in Parliament about the highest affairs of England, than to obey his private command to come and attend at Hampton Court, alleging in excuse that their attendance in Parliament was truer service to him, as King, than any other could be."\* Even Falkland, Culpepper, and Hyde, hesitated before they determined to continue in his service: the last-named statesman tells us that "they were so much displeased and dejected, that they were inclined never more to take upon them the care of anything to be transacted in the House; finding that they could not avoid being looked upon as the authors of those counsels to which they were such absolute strangers, and which they so perfectly detested. In truth, they had then withdrawn themselves from appearing after in the House, but upon the abstracted consideration of their duty and conscience, and the present ill condition the King was in."†

\* May's History of the Parliament, II. 41. "For this the King, presently after, sent a messenger to demand the staff of the one, and the key of the other, being the ensigns of their offices, which they willingly resigned." It was by order of the House of Lords that they disobeyed the King's mandate; but it is probable that they courted the order.—*Ibid.* II. 47.

† Clarendon, I. 284.

## CHAPTER IX.

The King deserted—Lord Digby's Proposal—Five members return triumphantly to Westminster—Charles leaves Whitehall previously—Consequences of his withdrawal—London Corporation and House of Peers still in favour of the King—He retires to Windsor—Lord Keeper refuses to give up the Great Seal—Selden desired as his successor—Skippon made Major General of City Militia—Lord Digby and Lunsford at Kingston—The Trained Bands of Sussex, Hampshire, and other counties called out—Letters from Mr. Stockdale—Order of the Parliament about the Magazine at York—Petitions to the King and Parliament resolved upon—Parliament change Commanders of Trained Bands—Sir Thomas Fairfax in Yorkshire—Collection of Poll-money—Scotch Parliament offer to mediate between the King and the Parliament—Parliament propose to remove the Bishops from Parliament, and to have the ordering of the Militia—The Queen and Princess Mary journey towards Holland—The King parts from them at Dover—He consents to the exclusion of the Bishops from Parliament—Sir John Culpepper persuades him—Opinions on that measure—The Parliament's urgency relative to the Militia—The King's firm rejection of their applications—Ordinance relative to Lord Lieutenants—The Parliament give a list—King returns to Theobalds—Parliament threaten to act without his consent—Sir John Conyers succeeds Sir John Biron as Lieutenant of the Tower—The King remains firm—The Declaration by the Parliament—Interview between the King and the Earls of Holland and Pembroke—His asperity, and final resolve not to assent to their proposals—His answer to the Parliament—His warning that no one should obey the Parliament's Ordinances—Consequent resolutions of Parliament—Supreme power assumed by them—Country sides with the Parliament—Letters from Mr. Stockdale—Yorkshire Petitions to the King and the Parliament—The Protestation taken—Derelove and the Knaresborough Election—Calling out Yorkshire Trained Bands—Copy of the Petition—Signatures and accompanying offer—Letter from Sir Edward Osborne—Objects to the Petition—Letter from Mr. Stockdale—Petition misunderstood—Riot about removing superstitious pictures—Colours of the two parties—Search for Priests and Arms—A Counter-petition proposed—Commission to raise money for Ireland—Regret at the disagreement between the King and the Parliament—King expected in Yorkshire—Proposed publication relative to Trained Bands—Members taking the Protestation—Expected new election for Knaresborough.

THE King was now without a single effective resource ;

the people of the City were against him ; \* petitions were flowing in a similar adverse spirit ; “ it cannot be expressed how great a change there appeared in the countenance and minds of all sorts of people in town and country ; ” † his friends who still clung to him were disheartened. He must have been even without the support of self-respect, for he knew that he had condescended to prevaricate in his promise to the Commons ; and he had acted deceitfully and unfairly to

\* When the King found that the five members had escaped, and that they had sought for protection by withdrawing into the City, he resolved at once to apply to the civic authorities for their arrest. The house in Coleman Street, where the five members were lodging was well known ; and Lord Digby offered to head a party to drag them thence, alive, if possible, but dead, if the resistance needed. Charles declined this violent course, but went into the City, on the 5th of January, with no other escort than his usual attendants. No tumult accompanied his progress ; but there were some cries of “ Privileges of Parliament ; ” and “ one Henry Walker, an ironmonger and pamphlet-writer,” more daring and violent than his fellow-citizens, “ threw into his Majesty’s coach a paper wherein was written ‘ To your tents, O, Israel ! ’ ”—*Rushworth*, V. 479. Lilly says it was a recent sermon, of which that was the text ; and that some cried, “ Sir, let us have our just liberties, we desire no more ; ” to which the King replied, “ You shall.” At the Guildhall, Charles asked of the Common Council “ their loving assistance, that they (the five members) might be brought to a legal trial.” Of the reply we have no report ; but Mr. Lilly says, more significantly than elegantly, “ *Mum* only could he get there.”—*Observations on Charles, &c.*, *Maseres’ Tracts*, I. 172. However, he was “ royally feasted ” by one of the sheriffs. The Lord Mayor, returning from attendance upon his Majesty, as far as Temple Bar, after the feasting had ended, “ was set upon by some rude persons, being plucked from his horse, and forced to go home on foot.”—*Nelson*, II. 822. The City authorities certainly refused to aid in seizing the five members, and how entirely they condemned the King’s conduct is shown by the Petition they presented to him a few days after, and by the triumphant cavalcade they formed for escorting those members back to Westminster. There is ground for believing that though Charles declined Digby’s offer to seize the five members, yet that he had at one time resolved upon that or some other violent course, for in a letter to him from the Queen is this sentence :—“ You see what has happened from not having followed your first resolutions, when you declared the five members traitors ; let that serve you for an example ; dally no longer with consultations, but proceed to action.”—*Harl. MSS.* 7379.

† Clarendon, I. 296.

his most responsible advisers. At that time, he can have hardly dared to enquire of his own heart—"Whom have I any right to ask to confide in me?"

In that hour of humiliation and merited defeat, deserted by so many, and self-condemned, there is no cause for wonder that Charles shrank from even being within ear-shot of the triumphant return to Westminster of the five members.

On the 11th of January, "they were brought into the House of Commons with as much triumph as could be expressed. Several companies of Trained Bands marched to the Parliament to assist, if need were. There were upon the Thames I know not how many barges full of sailors," (we are quoting the words of an eye-witness), "having some guns ready charged; and these also came in multitudes to serve the Parliament. A word dropped out of the King's mouth a little before, which lost him the love of the seamen. Some person being in conference with his Majesty, acquainted him that he was lost in the affection of the seamen, for they intended to petition the House, &c. 'I wonder,' quoth the King, 'how I have lost the affection of these water rats!'" \*

More particulars of this great civic demonstration in the favour of the Parliament is contained in another contemporary authority, from which, however, we will make only the following extract:—"The City, and people in the adjacent parts, are so much moved in this business, fearing some sudden execution may be done upon the Parliament (both the House of Peers, and House of

\* Lilly's Observations, &c.; Masere's Tracts, &c. I. 173. Lilly gives the date, erroneously, as being, January 10th.



Commons, and the Lords of the Privy Council, having declared that this act of his Majesty is without their advice, and against the privileges of Parliament), that they yesterday declared, that eight companies of the Trained Bands, with eight pieces of ordnance, and divers horsemen mounted, shall guard the Committee of the House of Peers and Commons, from Grocers' Hall in London, to Westminster ; and the sea captains, masters of ships, and mariners, with small barges, and long boats, sufficiently manned and armed with murderers' rablets, faulchion and minion, with musket and half-pikes, to the number of 2000 persons, have engaged themselves to guard the Parliament by water. The Trained Bands in Southwark have offered themselves to secure all the other side of the water ; and the apprentices tendered their services to attend the Parliament to the number of 10,000, with warlike weapons, but those the Parliament enjoined to stay at home ; and lastly, the watermen tendered their barges for more safety to carry the Parliament-men by water ; all which, to the great admiration of beholders, was put in execution this day." \*

"This present Monday, the 10th of January, about three of the clock in the afternoon," says Rushworth, "the King, with the Queen, with their royal offspring, and the whole Court, left Whitehall. His Majesty being in his coach, called the captain of the guard of Trained Bands that attended, and said—'I thank you for your attendance, and for what you have done, and do now dismiss you.' So his Majesty went to Hampton Court."† This withdrawal was on the eve of the day, or "that

\* Nalson, II. 831.

† Rushworth, V. 484.

great festival," as Clarendon describes it, on which the Parliament recommenced its sittings at Westminster. The Earl of Monmouth in the House of Peers, and others elsewhere, ascribed the departure of the Court to a just apprehension for their safety ; but Charles himself says—"I stayed at Whitehall until I was driven away by shame more than fear, to see the barbarous rudeness of those tumults, who resolved they would take the boldness to demand anything, and not leave either myself or the Members of Parliament the liberty of our reason and conscience." \* Whether fear, or shame, or chagrin was the motive prompting Charles thus to retire from Whitehall, is of comparatively trivial importance ; but it is of more and melancholy interest to remember that he never returned to that palace until the scaffold for his execution was before its windows !

The King's withdrawal was pregnant with important consequences ; it followed immediately upon his defeat in an attempt to commit the greatest outrage ever offered by a King of England against the House of Commons ; an armed outrage, announcing that violence would even be resorted to when considered likely to be effectual ; an outrage committed regardless of promises of protection, the remembrance of which was not weakened by even the intervention of a day. That armed attempt had failed, and now to withdraw, and to make circuits about London, when the shorter passage was to be found through its streets, looked much like the retreat of a foiled enemy, who could not forgive the defeat, but meditated another assault.

\* Eikon Basilike, Cap. VI. A chapter of admirable principles, approved by the King, but forgotten by him in practice.

Clarendon says that those who wished the King best did not regret the King's withdrawal from Whitehall ;\* but to have remained would have been beyond doubt more wise, firm, and dignified. If Charles had evidence which inculpated the five members whom he had denounced, although he had committed a grievous outrage in the opening proceedings, he should not have abandoned the prosecution altogether. While he confessed his error, he ought to have maintained his ground, and not to have been pusillanimous as well as rash. If he had done so, time, as we have before observed, would have proved his friend. What he yielded should have been done graciously ; what he maintained should have been firmly maintained ; and then respect for monarchy, the political feeling ever predominant in these realms, and the weakening influences ever incident to a course of reform, would have silently but surely re-established his cause. The most respectable portion of the City was still with him, so was a majority of the House of Peers, and the state of parties in the Commons had been shown by the last important division. "I know," says Sir Edward Walker, "that the then Lord Mayor, most of the Aldermen, and eighteen of the twenty-four companies of the City would have been at the King's devotion ; and so all the wiser and nobler part of the gentry then about London."† And Clarendon remarks, that "the House of Peers was then well disposed, and might have been managed with a little patience to have blasted all the extravagances of the Commons."‡ But

\* Clarendon, I. 297.

† Walker's Historical Discourses, 274. This author was Secretary of War to the King.

‡ Clarendon, I. 305.



it had been otherwise decreed. The King withdrew further and further from the Parliament; each day added to the distrustful and defensive position assumed by both parties, and an appeal to arms finally yet gradually became inevitable. Many were the *loci pœnitentiæ* which occurred, but the King had so often deceived them that at length he could not expect to be trusted; yet we shall see that same infirmity of purpose and deficiency of candour continued his besetting errors, until the time arrived when honour the most unspotted, and decision the most immoveable, could have brought to him no safety.

On the 12th of January, the King proceeded to Windsor, "where he could be more secure from any sudden popular attempt;" yet even here, petitions from Buckinghamshire and other counties, all in favour of the Parliament and the five members, were presented, "several every day." \* At Windsor, Charles remained nearly a month, but not inactive, for he was endeavouring by various modes to draw to himself some of the more moderate of his opponents.

Displeased at the Lord Keeper, Littleton, for refusing to affix the great seal to the Proclamation for the apprehension of the five members—a refusal which, coupled with other demonstrations, showed a fearfulness to support the royal government, the King was resolved on taking from him the seals, and on offering them to Mr. Selden. This negociation did not escape

\* Clarendon, I. 302. Only a few of the freeholders proceeded to Windsor with the Buckinghamshire Petition; but four thousand of them on horseback, each with a copy of "The Protestation" in his hat, came in procession to the Houses of Parliament.



the notice of the House of Commons, and as the best check to his acquiescence, a peremptory order was issued on the 4th of February, commanding Mr. Selden to attend within three days, at furthest, and to continue his service at the House.\*

Meanwhile, the Parliament was still more active. The Attorney General was impeached for acting "contrary to his oath and duty," in the case against the five members, but as it speedily appeared that he had been guilty of no offence cognisable by the law, the House of Commons resolved that he should be incapable of being "a member, assistant, or pleader in either House of Parliament, and of all offices except that of Attorney General," and that he should be imprisoned in the Fleet during the pleasure of the House.† A guard of the City Trained Bands to attend upon the Parliament, under the command of the Earl of Lindsay, "as being most proper for him in respect of his office of Lord Great Chamberlain," was granted by the King; but the Commons, not satisfied with this, ordered that two companies of those bands should attend every day, under the command of Serjeant Major Skippon.‡

This was the first interference of the House of

\* Journals of the House of Commons, II. 955. † Rushworth, V. 468.

‡ Ibid. 469. Clarendon says that this was an "office never before heard of." Philip Skippon, by long and meritorious service in Holland, had raised himself from the ranks to the command of a company. Returning to England, his friends obtained for him the captaincy of the Artillery Garden; and he was now promoted to be Major General of the City Militia. Even Clarendon says that he was "a good officer; a man of order and sobriety, and untainted with vice," yet illiterate, and prejudiced against the Church.—*Clarendon's History*, I. 298. Riecraft says that Skippon encountered the enemy in field and garrison one hundred and twenty-five times, and never turned his back to the adverse party."—*England's Champions*, 59.

Commons, unsanctioned by the King, with the military power of England, and it was speedily followed by other orders for the disposal of the provincial troops, so soon as they received the information of Lord Digby and Colonel Lunsford, having appeared in arms (January 12th) at Kingston. This rash demonstration, and Lord Digby's flight to the continent, have been already noticed, but we may add, that abundant evidence from various sources exists that the gathering at Kingston was an actual attempt to make a military diversion in favour of the King.

Lord Digby, in his "Apology," acknowledges that "many soldiers and commanders" were assembled at Kingston, and that he went to them by the King's command, "with some expressions of his Majesty's good acceptance of their services." It may be that he went from Windsor to Kingston "in a coach with six hired horses," and that he delivered the King's message to but "forty or fifty gentlemen," but hundreds more were in the town and mustered, over whom those "forty or fifty" had command;\* and though Lord Digby went to the rendezvous in a coach, yet, when there, he was "on horseback with pistols."† Ammunition was conveyed thither, as well as to Windsor and Portsmouth. The governor of the latter, Colonel Goring, although hitherto a supporter of the Parliament, had been gained over to the royalist party; and as Hull was the arsenal of the northern counties, and contained arms for 16,000 men, both Houses of Parliament now united (January 12th) to direct "that some of the Trained Bands of Yorkshire,

\* Nalson, II. 865.

† Rushworth, V. 469.

nearest to the town of Hull, should be put into the said town, under the command of Sir John Hotham, and that he should not deliver it up, or the magazine, or any part thereof, without the King's authority, signified by the Lords and Commons in Parliament." The son of Sir John Hotham was requested immediately to convey this order to his father, and he accepted the office with a declaration, that "fall back, or fall edge," he would execute the commission. It was an unstable alacrity, however, for he died on the scaffold a betrayer both of the Parliament and of the King.

The summoning of the Trained Bands to arms was extended to those of Sussex and Hampshire, in order to cut off from Portsmouth any further supply of ammunition. The Governor was directed not to deliver up the town or to receive reinforcements, unless by the King's authority, sanctioned by Parliament; a similar order was sent to the authorities at the Tower; some cavalry saddles which had been directed to be sent to Kingston, were seized by order of the Parliament; scouts were posted around London; \* other magazines were in a like manner commanded to be guarded; and the Bands of Yorkshire generally were to be called out, as noticed in the following letters:—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

I CAME to York yesterday to give meeting to the Sheriff and Justices of Peace, to advise upon the order of Parliament, dated 13th January. The result

\* Rushworth, V. 495—7, &c.

of which consultation is, that Captain Frankland's foot company shall be set as a guard to preserve the magazine at the Manor from surprise ; the guard to be ordered and paid by the Sheriff for fourteen days, until the Parliament send order how the pay shall be raised for their entertainment ; and the key of the magazine to be left nevertheless in Mr. Elmhirst's custody till further resolution :

That the Lord Lieutenant be moved to send commissions to Colonels and Captains of the Trained Bands, to enable them to raise and exercise their men weekly ; and in the mean time, that in every constabulary strong watches be kept, day and night, to examine such suspected persons as pass there :

And that every trained soldier be provided of two pounds of powder, with match and bullets proportionable, against the coming down of the commissions to their captains ; and to be in readiness sooner, if occasion be :

And that the head constables shall command every recusant not to travel from his own house, further than by the statute he is limited ; and the next Justice of Peace, with other assistance, to search in every recusant house, where there is extraordinary resort of company, and to seize the arms they find :

And besides these particulars, we have fallen into consideration to write letters to the Knights of the Shire, to have these matters speedily moved, and order upon them returned to the country :

And we have resolved upon petitions to the King and Parliament, giving thanks for graces already obtained, and declaring our concurrence in desires with the



Parliament, and beseeching the King to hearken to that great council, and repose upon them wholly in ordering the affairs of the Commonwealth, and reforming the discipline and government in the Church. In these petitions, some few of the gentlemen seemed unwilling, yet not many of them, in my opinion.

Yet I see that it is not only recusants that we may fear ; and it seems the Parliament is sensible of it, for I am told that many of the commanders of Trained Bands are put out, which is no improvident course in these distempered times.

And now also I hear that Hull is secured, after some interpositions, in which act I think the greatest and most imminent danger of these parts is put out of hazard.

Touching Robin Benson's boldness, in issuing an order for bailing of Warwick, contrary to the vote of every Justice present at the sessions, I am confident he did it, though to your lordship it may seem incredible, and use may be made of it when your lordship sees it opportune.

I have sent answer to Sir William Constable, touching the petition against William Derelove : I intend it shall be with him the next post, if not sooner. I could not attend it altogether myself, because of my resort to York about this business of the country, so I left it with Richard Rodes, who promiseth to get me more hands to it, for I only moved half a dozen principal men that signed it.

Here is Tom Parker, that was William Derelove's man at London ; he came home on Tuesday last ; he says his master is not yet admitted into the House, but

he hopes every day to be received, and that thirty-two more are kept out as well as he is. I had a private advertisement that William Derelove doth not in this business altogether follow the advice of his friends upon whom he most reposeth in other occasions ; because, he hopes to get into the House by help of the contrary faction, out of which phrase something may be gathered, that he either is a great politician, or else he is notably deluded.

The new order of the House for apprehending Benson and his sons that rescued him, it seems excuseth his wife, in favour of her sex, which is a most noble consideration ; but if they knew what monstrous, rather than masculine, acts she hath heretofore performed, in the like rescues of the same person, they would have punished her the rather for this. Yet, truly I think it is punishment enough to separate them, for it is partly her pride and wicked disposition that misguides him in many particulars, and caused him to set up her son to be burgess.

I perceive the countenance of the Parliament, by God's blessing that accompanies their actions, doth begin to restore life to the Protestant party in Ireland ; and if the King were firmly united to the House, and would be guided by their counsels only, we have as much as we could expect ; and this, time will bring to pass ; in the mean season, all men must labour with patience. I should be glad to see the countenance of affairs in this season, and to make tender of my service to your lordship, which I hope my health will give me leave to perform this spring ; but yet the weather is too terrible for me to adventure upon.

I must beseech your lordship's excuse that I make too abrupt relation of some things in this paper, which my time will not admit me to enlarge, for I staid so late with the Sheriff, as I had scarce time for thus much ; though I think no time better employed than that wherein I may declare myself

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*28th January, 1641. (N. S. 1642.)*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

AMONGST other matters contained in the despatch sent up by Mr. Henry Bethell, your lordship will observe that, in the letter to yourself and Mr. Bellasis, we have begun to touch (though lightly) upon that point which I formerly propounded ; for we desire that, in regard these expenses for guard of the magazine fall upon the country, through the danger threatened by the recusant party, the charge may be borne out of their legal fines. In time the proposition will ripen to ampler demands, as occasions do increase, of which there is too much appearance already, and they likely to swell greater every day, if this distance continues between the King and his people ; which I doubt will discover that the malignant party is not confined within the bounds and number of the recusants.

Your lordship may peradventure observe in our resolutions sent to you and Mr. Bellasis, that we have not kept ourselves strictly within the compass of the letter of the

law ; for where sudden insurrections are to be prevented, there I conceived that *Salus populi suprema lex* ; and the large compass of the order of Parliament seems not to intend a narrow limitation of form. I hope my cousin Bethell will bring order to enlarge the former authority, which some scrupulous men are apt to boggle at ; and then I hope the gentlemen, and all the country generally, that stand well-affected, will join in resolution for the public safety : yet in this assembly of the Justices I observed not one of the East Riding to resort unto it.

I inquired of the Sheriff what warrant he had to put this order of Parliament in execution, and he answered, a direction from the Knights of the Shire. I pressed no further to have it shown, lest the work which is good and necessary might have been impeded by some who might desire to check at any occasion, and dissect it. I only in private showed Sir Thomas Fairfax, your son, what your lordship had imparted to me.

On Monday last, Stamford, the messenger, came to apprehend Henry Benson and his sons, but failed in his attempt ; for they had warning of his coming, both by their servant Tom Parker, who lay at York to watch when the messenger should come there, and also, as report goes, from Mr. Robert Trapps and Mrs. Plumpton. And though I think the messenger needs not much care for missing of them, because his fees will increase by it, yet to hear how Mrs. Benson (who feared she had been in the warrant) hid herself in William Barroby's hogsty, and what hard shift old Harry and his two young shifters made to hide themselves from the messenger and his assistants, would make us a pretty comedy. Sir John Goodrick assisted Stamford in the search ; for I was



surprised that day with an extreme fit of sickness, which, upon contraction of cold, often seizes on me, and holds me for twenty-four hours together.

Upon Wednesday we met about review of the poll. The constables and assessors for the most part came in ; but generally they returned in writing that they could not increase their former assessment : and I hear that business is so carried in other places as it is with us, where I think there will be scarce 20*l.* gotten by all our labour. They generally exclaim for want of their billet-money, and grudge that they should be creditors for so much more than any other part of the kingdom, which, if it can be redressed, will be a most acceptable work to the whole country. The estreat of the poll-money shall shortly be drawn up, and sent to your lordship and Mr. Bellasis, in such manner as we can agree upon it, when we meet at York the next week.

I have, by consent of the Sheriff and Justices, framed a petition in the name of the country to the King, and this day I send it to the Sheriff to peruse. I have done my endeavour so to couch our desires in moderate terms, as none may check at the matter. The next Thursday we appointed to meet at York to sign it.

I am constrained to inclose this to Sir William Constable, with the petition about Derelove, because I have forgot where his lodging is, and I presume your lordship will see him every day. The rest tenders my due observances to your lordship, and I am,

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

The breach was manifestly becoming so absolute between the King and the English Parliament, that the Parliament of Scotland, "considering the mutual interest of the kingdoms in the welfare and prosperity of each other," offered to interfere as mediator. Charles reproved the Scotch for this offer, whilst the Parliament thanked them, and for the obvious reason, that in the very phraseology of their letters, they intimated an opinion that the King was in error, by not having "recourse to the sound and faithful advice of the Houses of Parliament." \*

The mediation was declined, and each party proceeded in the course they considered most conducive to their own advantage in the impending struggle. But two exclusive sources of strength remained to the King, the votes of a majority of the House of Peers, and the prerogative of summoning forth in case of need the Trained Bands of each county; and against both these advantages the House of Commons now addressed their efforts. They had reduced to a certain extent the King's influence in the Peers, by committing some of the bishops to close custody, yet that did not necessarily diminish the votes in the King's favour, for they had the power of appointing proxies; but though the King had the prerogative of calling out the military strength of the kingdom, yet the Parliament had taken upon itself to assume a similar power. It is as impossible to defend the legality of these proceedings, as it is to justify the King's attempt to seize the five members; but events had now reached such a position that each was compelled to adopt the strongest measures for self-

\* Rushworth, V. 498.

support. Selden observed at the time that, "the King and the Parliament now falling out, are just as when there is foul play offered amongst gamesters ; one snatches the other's stake ; they seize what they can of one another's. It is not to be asked whether it belongs not to the King to do this or that : before, when there was fair play, it did. But now they will do what is most convenient for their own safety." \*

To weaken the remnants of the King's exclusive power, two bills, or rather a bill and petition were introduced, one for removing altogether the bishops from the House of Peers, and the other for placing the command of the militia in the hands of such persons as might be recommended by both Houses of Parliament.†

The King resolved, as indeed most men believed he intended, to reject both those propositions ; and it was foreseen, that in such an event an open rupture would be the result. To provide for warfare that then would be imminent, and even now seemed unavoidable, the Queen, under the excuse of her anxiety to accompany the Princess Mary to her husband in Holland, prepared to leave England. The Court left Windsor for that purpose on the 9th of February, and journeying through Greenwich, but avoiding London, they reached Dover on the 16th, and on the 23rd, she embarked for Holland. It is in such domestic passages as these, that Charles appears to most advantage. The King and Queen parted in tears, and Charles continued on the shore, "nor ceased to gaze upon her until the distance withdrew her from his sight."‡

\* Selden's Table Talk : The King.

† Clarendon's Autobiography, 50 ; Rushworth, V. 517.

‡ Père Cyprien's Mission in England.

The King was now left alone, for where was there another being who loved him? He had still some faithful servants, but he had deserted them too often to feel that they ought to confide in him, and as the Queen was almost the only one of whose affection he was assured, so was she the only adviser who was energetic, and to whom he confided all his thoughts and purposes.

Sir John Culpepper was the only one of the King's ministers who advised him to pass the bill for excluding the bishops from Parliament. Charles asked him, as usual, "whether Ned Hyde was of that mind?" and being answered in the negative, but that it could not be a reasonable judgment, he replied, "It is mine; and I will run the hazard." Again, however, was he infirm of purpose, for Culpepper had told the Queen that if the King did not give his assent to that bill, he exceedingly apprehended that her journey would be prevented. This, with other arguments, prevailed; for rather than that she should be staid from proceeding to Holland with the Crown-jewels, which she was secretly conveying with her, "she gave not over her importunity with the King, until she had prevailed with him; and so the bill for removing the bishops out of the House of Peers was passed by commission, when both their Majesties where upon their journey to Dover."\* It was a popular measure, for Hackett says, "they fell to bells and bonfires, and profaning God's name, saying that 'He had heard them,' whose glory was not in

\* Clarendon's Autobiography, 51. Consent was given by the Commissioners, on the 14th of February, when their Majesties were at Canterbury. The bill was comprehensive, and entitled "An act for disabling all persons in Holy Orders to exercise any temporal authority or jurisdiction."—*Rushworth*, V. 553.



their thoughts, from the beginning to the end." The Archbishop of York, then in the Tower, was right in saying, that "The King had sacrificed the clergy to this Parliament,"\* and like all other sacrifices to expediency, it failed of securing the object in view. Culpepper said it would pacify the Commons, but it served only to make some of them more urgent for the Militia to be placed at their disposal; those who loved the Church were provoked to see it thus struck away from being one of the three Parliamentary Estates; others thought bishops no longer "worth any notable contention;" and "all men" noticed that it was another demonstration that though the King declared his conscience would not let him consent, yet "he would not be constant in retaining and denying anything which should be impetuously and fiercely demanded."†

The House of Commons acted upon this belief in pressing for the King's consent to give them a controlling power over the Militia. Upon no other measure had they been so urgent, and upon no other was Charles so immoveable. They first asked for it, as "a sure ground of safety and confidence," on the 26th of January, whilst the Court was at Windsor; but within two days Charles replied, that he should "reserve to himself so principal and inseparable a flower of his Crown." On the 2nd of February the Houses united in repeating the petition, on the ground that they might "with more comfort and security accomplish their duties." To this the King replied, that if the Houses would suggest the names of those whom they wished to recommend, he would be content to appoint them, "unless such persons

\* Hackett's Life of Williams, II. 181.

† Clarendon's Autobiography, 52.

should be named against whom he had just and unquestionable exception.”\*

In accordance with this proposal, the Houses of Parliament, on the 11th of February, prepared “An Ordinance for the ordering of the Militia in England and Wales,” and added a list of those noblemen and gentlemen in each county to whom they wished the Lord Lieutenancy and the command of the Trained Bands to be entrusted. That ordinance, which was in the form of a commission to each Lord Lieutenant, made him responsible only “to the Lords and Commons in a parliamentary way.” The King declined to give an immediate answer to this, on the somewhat extraordinary ground that his Queen and daughter were departing to Holland; and the Parliament replied, on the 22nd of the same month, that this was “as unsatisfactory and destructive as an absolute denial.” On the 28th, the King having returned to Theobalds without passing through London, and the Queen having sailed, answered, that he had no objection to agree to the list of the noblemen and gentlemen proposed, but that he could not consent to divest himself of the power of removing them, and appointing others in their place. This brought the negociation to an issue; for on the following day, March the 1st, the Houses of Parliament informed the King, that it being a “time of imminent

\* At the time the King returned this answer, he removed Sir John Biron from being Lieutenant of the Tower, and placed Sir John Conyers in that office. This was done in accordance with the request of the Parliament, “to satisfy the fears of the people.” Sir John Biron had been increasing the ammunition and stores of the Tower, and had refused at first to appear before the two Houses of Parliament in obedience to their order. This had occasioned some of the chief City merchants to express a fear relative to depositing, as usual, their bullion in the Tower.—*Nelson*, II. 835—881.

and approaching ruin," (for they were well informed of the Queen's purpose in visiting Holland, and with the King's design to withdraw into the north,) they should be obliged, if he did not assent, "to dispose of the Militia by the authority of both Houses, in such manner as had been propounded to him, and they had resolved to do it accordingly."\* On the next day Charles replied, "I shall not alter my answer in any point;" and on the 5th, the two Houses of Parliament in their own names, without mentioning the King, adopted the Ordinance, and named the Lord Lieutenants. This was communicated to the King on the 9th, with a declaration of the causes which led them to conclude that there were "symptoms of a disposition of raising arms, and dividing the people by a civil war." Among these causes were the facts, that several negotiations between the Court and some of the papal powers were being carried on; that the leaders of the Irish rebels had declared, that after they had settled Ireland they would "recover unto his Majesty his royal prerogative, wrested from him by the Puritan faction in the Houses of Parliament in England," and that the Irish rebel force was called "the Queen's army." The two Houses of Parliament also alluded to "the manifold attempts to provoke the late army, and the army of the Scots, and to raise a faction in the City of London, and other parts of the kingdom;" the armed outrage against the five members; Goring's Plot; the assistance afforded by the King to the escape of Mr. Jermyn and others of the conspirators;† the

\* Rushworth, V. 516—523. The Parliament resolved, at the same time, "That the kingdom be put into a posture of defence."

† There is no doubt of the endeavour of the Court to bring up the army against



army petition, delivered to Captain Leg, and sanctioned by his Majesty ; and Lord Digby's appearing in arms, and the King's warrant to Admiral Pennington for landing him beyond sea after the Peers had summoned him to appear. Having enumerated these and various other causes of their "jealousies and fears," the Parliament concluded with a petition to Charles, that he would "put from him those wicked and mischievous counsellors who had caused all those dangers and distractions ; and to continue his own residence and that of the Prince near London and the Parliament."

The Earls of Holland and Pembroke, "with some members of the House of Commons,"\* were deputed to present this declaration to the King at Newmarket, where they arrived on the 9th. It was read to his Majesty by Lord Holland. With more than usual excitement, and less than his usual courtesy, Charles declared, that the statement relative to Mr. Jermyn was "false," and upon its being repeated, he exclaimed still more emphatically, "It is a lie."

When the reading was concluded, the King remarked, as he received the paper, "I could not have believed the Parliament would have sent me such a declaration, if I had not seen it brought by such persons of honour. I am sorry for the Parliament, but glad I have it, for by that I

the Parliament. The particulars have been detailed already ; but in addition may be added, that some years subsequently, one of the members reminded the House of Commons that "young Lord Goring came to the bar, and said, 'The Queen sent for me into the King's lodging, and asked me, 'Are you concerned in that Cabal ?' " "No," said I. "Then go, join (said the Queen) with Jermyn and Percy, and bring up the army against the Parliament." "—*Burton's Diary*, III. 206.

\* May's History of the Parliament, 34.



doubt not to satisfy my people ; though I am confident the greater part is so already. You speak of ill counsels, but I am confident the Parliament hath had worse informations." After a pause, the King asking, " What have I denied the Parliament ? " Lord Holland instanced the refusal of power over the Militia. Charles replied, " That was no bill ; " and upon the Earl adding, " It was a necessary request at this time, " his Majesty retorted, " I have not denied it. As concerning the grounds of your fears and jealousies, I will take time to answer particularly, and doubt not but I shall do it to the satisfaction of all the world. God in His good time will, I hope, discover the secrets and bottoms of all plots and treasons ; and then I shall stand right in the eyes of my people. In the mean time, I must tell you, that I rather expected a vindication for the imputation laid on me in Master Pym's speech, than that any more general rumours and discourses should get credit with you. For my fears and doubts, I did not think they should have been thought so groundless or trivial, while so many seditious pamphlets and sermons are looked upon, and so great tumults are remembered unpunished, and uninquired into. I still confess my fears, and call God to witness, that they are greater for the true Protestant profession, my people and laws, than for my own rights or safety ; though I must tell you, I conceive that none of these are free from danger. What would you have ? Have I violated your laws ? Have I denied to pass any bill for the ease and security of my subjects ? I do not ask you, what you have done for me.

" Have any of my people been transported with fears and apprehensions ? I have offered as free and general

a pardon as yourselves can devise. All this considered, there is a judgment from Heaven upon this nation if these distractions continue. God so deal with me and mine, as all my thoughts and intentions are upright for the maintenance of the true Protestant profession, and for the observation and preservation of the laws of this land, and I hope God will bless and assist those laws for my preservation." \*

The King then dismissed the two noblemen ; and, on their return the day following to receive his answer, the Earl of Holland endeavoured to persuade him to return to the neighbourhood of the Parliament ; but to this Charles gave no assent, but only observed—"I would you had given me cause, but I am sure this Declaration is not the way to it : in all Aristotle's Rhetoric there is no such argument of persuasion." The Earl of Pembroke replied, that "the Parliament had humbly besought his Majesty to come near them ;" but Charles silenced him with the rejoinder—"I have learned by their Declaration that words are not sufficient."

The Earl of Pembroke was never a favourite with the King, and he had lately taken from him the staff of Lord Chamberlain, and given it to the Earl of Essex ; yet the Earl persisted in urging compliance on the King, and Charles became more irate in proportion to the importunity with which it was pressed upon him. The Earl of Holland had read aloud the King's answer, yet Pembroke persisted in asking Charles what he required. "My lord !" was the reply, "I would whip a boy in Westminster School that could not tell that by my

\* Rushworth, V. 532.

answer." Pembroke, unabashed, then proposed a medium course, with regard to the Militia, asking, "Whether it might not be granted as was desired by the Parliament, for a time;" but Charles closed all further negotiation by exclaiming—"By God! not for an hour! You have asked that of me in this was never asked of any King, and with which I will not trust my wife and children."

If the King's written "answer" had not conveyed a "denial," this verbal one was decided and not to be mistaken; so the two nobles took their leave, the King unadvisedly observing as they withdrew—"The business of Ireland will never be done in the way that you are in. Four hundred will never do that work; it must be put into the hands of one. If I were trusted with it, I would pawn my head to end that work; and though I am a beggar myself, yet, by God, I can find money for that." \*

It is needless to make even an abstract of the King's answer, for it offers little more than a particular denial of all the charges of misgovernment brought against him, and a retort upon the Parliament that in their proceedings was discoverable the origin of all the misunderstanding which had arisen between them. Not a word is said about the Militia, but a decided refusal to return to London is given, on the ground that the late tumults sufficiently demonstrated the danger he should run, and, added the King, "until some course be taken for our security, you cannot, with reason, wonder that we intend not to be where we most desire to be." †

Reflection, however, seems to have brought to the King a conviction that he had not sufficiently pro-

\* Rushworth, V. 533.

† Husband's Collection, 109.

claimed his resolves. He therefore again addressed a message to both the Houses of Parliament, dated from Huntingdon, the 15th of March, and, after stating that he was "now in his remove to his City of York, where he intended to make his residence for some time," and declaring that if the Houses were remiss in their measures for pacifying Ireland, "he should wash his hands before all the world from the least imputation of slackness in that most necessary and pious work," he warned all his subjects that they "cannot be obliged to obey any act, ordinance, or injunction to which the King had not given his consent." He therefore calls upon them not to presume upon any pretence of order or ordinance (to which his Majesty is no party) concerning the Militia, or any other thing, to do or execute what is not warranted by the laws; his Majesty being resolved to keep the laws himself, and to require obedience to them from his subjects."\*

The gauntlet was now thrown down, and the Houses of Parliament lost not a day in manifesting to the whole kingdom that they accepted the challenge. On the 16th, they resolved, "*nemine contradicente*," that whoever advised the message from Huntingdon, were "enemies to the peace of the kingdom;" that "the Ordinance of the Lords and Commons in Parliament for the safety and defence of the kingdom is not contrary to the oath of allegiance;" that the commissions of county lieutenancy under the great seal were "illegal and void;" and that any one executing any power over the Militia "without consent of both Houses of Parliament should be accounted a disturber of the peace of the kingdom."

\* Husband's Collection, 114; Rushworth, V. 533.



All these declarations were sufficiently stringent, but one more resolution completed, in effect, a deposition of the King, for it declared—"That when the Lords and Commons in Parliament, which is the supreme court of judicature in the kingdom, shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privileges of Parliament." \*

The Parliament, therefore, now assumed entirely the supreme power : it could not be dissolved without its own consent ; its ordinances, though branded with the King's disavowal, were declared to have the power of laws ; and no one was to contravene their interpretation of the laws. Such assumptions of power were totally illegal, and at variance with the constitution, but this was a time when the law of the strongest was to prevail, and, therefore, each party grasped at whatever would confer power, without pausing to enquire whether law or authority sanctioned the effort.

The majority of the country declared in favour of the Parliament and its measures, and even whilst the pen-militant was still waging war as to the right of controlling the military power of the country, petitions from various counties were presented to the two Houses unhesitatingly assigning to them that right. The petition from Yorkshire may serve as an example of others. It was among the earliest and most decisive, and was signed even by the Lord Mayor of York, though it was known at the time that the King intended to make that city his head-quarters.

\* Husband's Collection, 112—114 ; Rushworth, 534.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD,  
THE LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

I AM now at York with the sheriff and justices of the county, who are assembled in a more frequent meeting than when we met last ; and we have now agreed to keep the magazine undivided, and placed it at York, there to be watched by six men ; that is, two by day, and four by night ; and the command and oversight of them left to such as the sheriff shall appoint ; their pay to be raised out of the common lays of the county, by order from the Parliament.

We have also framed and signed three petitions, one to the King, another to the Lords, and a third to the Commons ; and we have resolved of a course (if it be allowed and authorised by the Parliament), for ordering of the militia of the county in such manner at this present (till more settled courses be generally provided), as may be useful in suppressing of insurrections : in all which petitions and resolutions, we have declared a full concurrence with the Parliament, in all things. Of these petitions, and result, I need recite no particulars, because the originals are all sent to you by this post, and with them letters to your lordship and Mr. Bellasis, and to the Lord Lieutenant for his furtherance.

The Protestation sent to the sheriff by order of the House is taken by many of us here, and the sheriff hath disposed them by the head constables, to be tendered in each parish. So now, I hope, when you have considered all our expressions, you will place us of Yorkshire

in the front of the well-affected counties, for I imagine that none have made more full declarations than ours ; and I think if they be published in print, that all the kingdom may take notice of them : it may encourage others to the like forwardness.

The serjeant's deputy could not find Henry Benson yet ; now he is at his own house, and hath sent Tom Derelove on Monday last to London ; but John Derelove doth not yet appear. I send your lordship enclosed the copy of an examination taken by me on Wednesday last, at night. \* I have not had leisure since to search further into it ; yet, I think it will prove a foolish brag of a drunken knave in an alehouse ; yet, if your lordship conceive it may lay any just weight upon Henry Benson, or his son, Derelove, who are countenanced and relieved, as I and others do think, by that family of Plumpton, I will carry myself in the pursuit of it, if your lordship shall direct me.

In your lordship's last letter you intended to send me the King's last message, but by some mischance it came not. I am hopeful by the next we shall hear of his Majesty's return to the House, and of his assent to

\* *9th February, 1641.*—Richard Norfolke, of Knaresborough, Chandler, being examined upon oath, saith,

“ That on Monday, 7th February, 1641, he being at the house of John Bickerdike, in Knaresborough, drinking with a friend, in the presence of the said John Bickerdike and others, they all talking about Henry Benson, of Knaresborough, and his late escapes from the pursuivant sent by the Parliament, for his apprehension : one John Thompson, of Knaresborough (whom this examinant thinks to be a Recusant), servant and carrier to William Rainsford, miller, of Plumpton Mill, being taken amongst the rest, said that there were two pieces of ordnance mounted on the top of Plumpton Tower, towards Knaresborough ; and that if Henry Benson should be taken, before he were taken, there would be many a fatherless bairn made in Knaresborough ; or words to this effect.”

their advice, which is most heartily wished by all good men ; and truly, for my part, I think if the Queen were suffered to go with her daughter to Holland for a season, it would be no let to the free passage of business with his Majesty, and especially in the affairs of Ireland, which must now be speedily thought upon, because the spring draws on, and the seas are more easily passable from foreign parts.

I have been told of some expectation of your lordship's speedy coming into the country, where your presence will be welcomed by great numbers that do entirely honour your lordship, in which number I am

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

*12th February, 1641. (N. S. 1642.)*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

By the last post I gave your lordship a brief account of the result of our meeting at York, which was enlarged by the original petitions, resolutions, and letters sent by the post to my cousin Bethels to be delivered to your lordship and Mr. Bellasis. Some advice was given to the sheriff on Friday at night, upon which he intended to have staid all the dispatch until some thousands of hands should be obtained to countenance our desires. Whereupon he sent for me again, and I persuaded the present sending them away by that post ; lest delay of them might render them less



useful or acceptable : and that the general subscriptions of the multitude should follow to copies of the same petitions ; which course is now in hand to be put in execution.

Since my return from York, I drew a warrant to summon the ministers, churchwardens, constables and overseers of the poor in Claro, to come together and take the Protestation. On Monday last I represented it to Sir John Goodrick, who signed it with me, and I hope the country will generally take the Protestation. I also offered to Sir John Goodrick another warrant to be signed by him for the view of arms in Claro ; the sheriff and I had signed it at York, but Sir John is unwilling to subscribe it, as fearing to run into præmunire ; so that I can proceed no further therein for a while. The copy of that warrant I send inclosed,\* and desire your lordship to let me know if there be any such danger, as it seems is suggested to him ; and he also fears that the order given by us, commanding watches, with powder, and that to be provided by every trained soldier, is an excess of the authority given us ; and that we may incur danger by

\* " TO THE HEAD CONSTABLES OF THE WAPENTAKE OF CLARO, AND TO  
EVERY OF THEM.

"Whereas we have received an order from both Houses of Parliament, for securing the county ; and to that end are appointed to call to our assistance the Trained Bands, for suppressing all unlawful assemblies : these are therefore, by virtue of the said order, to command you to give present notice to all the said Trained Bands, both horse and foot, within your wapentake, that they appear before us, or some of his Majesty's Justices of Peace, at \_\_\_\_\_, by two of the clock in the forenoon, completely furnished, that we may view the same, and then give them such directions as shall be for the furtherance of the said service. Fail not.

" THOMAS GOWER, VISC.

" THOMAS STOCKDALE.

" *Dated the 6th of February, 1641.*"

it ; but for my part I conceive the order of Parliament for securing of the county, doth warrant as much as we have yet done, and more if there should be cause. This day we have ordered the constable to search for priests, and the arms of recusants ; of the issue I can give your lordship no account at this present.

I send your lordship the copies of two warrants issued by the clerk of the peace in the style of the sessions : both the warrants are denied by all the justices ; your lordship may consider of them as your leisure will permit. Warwick is now at liberty upon the first warrant ; but his liberty is not the only matter considerable in my conceit ; for the boldness of the officer that durst enterprise such a matter is most insufferable. I send your lordship also the substance of some part of a letter from William Derelove to John Bullock, which was taken by the constable and watch at Knaresborough on Friday last ; and I being then at York, it was carried to be opened by Mr. Rodes the vicar of Knaresborough : by it your lordship may understand something of that man's ways and friends. In pursuance of the letter I hear they are getting hands to a petition to that effect desired by him. The petition is solicited in great privacy by William Conyers ; Henry Benson himself being either gone away, or not to be seen at home ; and his son Tom Derelove is at London, and John Derelove fled we hear not whither ; yet new deputies keep the court, though I am persuaded without sufficient authority, if it were examined ; for on Monday last the court was held by John Bullock, who then supplied the place of steward.

We hope this post will bring us the much desired

news of the King's return to the Parliament, of which there appears so urgent necessity, both for settling the distractions of the State, and also for suppressing the bloody papists of Ireland. I had a letter the last week from my brother Dick Parsons now at Chester ; wherein he writes, that by general reports, and by the calculation of judicious and knowing men, the papists have murdered and destroyed in Ulster, fifty thousand Protestants, men, women, and children, which is a most horrid cruelty, hardly to be paralleled ; and it concerns us all to endeavour the prevention of the like in this kingdom.

I wish unto your lordship much increase of honour and health, and am

Your lordship's faithfully devoted servant,

THOMAS STOCKDALE.

18 February, 1641. (N.S. 1642.)

The following is a copy of the Petition :—

TO THE HONOURABLE THE KNIGHTS, CITIZENS, AND  
BURGESSES ASSEMBLED IN PARLIAMENT.

*The humble Petition of the Knights, Gentlemen, Freeholders, and  
other inhabitants in the County and City of York,*

SHOWETH,

THAT your petitioners do with all thankfulness acknowledge and resent the benefit of those good laws which you have already provided for us, as most seasonable and precious fruits of your pious and prudent consultations ; as also of that most happy and reunited peace betwixt us and Scotland, our neighbour nation ;

and the blessed care you have lately taken, both to relieve our distressed brethren in Ireland, and to put the town of Hull (the chief strength of our county), into such an hand as for his integrity we have good cause to confide in ; as also to purge the House of Peers of the prelates' votes (a main obstruction to your happy undertakings) ; and having received so much refreshment from you in our so important concernments, do take boldness to represent our humble requests :

That your pious care for the further relief of our distressed brethren in Ireland may be continued, and your wise resolutions thereupon put into speedy execution :

That this whole kingdom may speedily be put into a military posture of defence, both by sea and land :

That the composition of recusants (with which his Majesty rests satisfied) being paid, the residue of their lands and goods forfeited by the statute, may be disposed of, as well for the safety of defensible ports and places in this kingdom, as also for settling and maintaining necessary guards over the houses of Papists and popishly affected persons :

That the oaths of allegiance and supremacy may be impartially and speedily tendered to all Papists and popishly affected persons whatsoever, according to the statute in that case provided :

That the laws against priests and Jesuits may be fully executed, and that some present course may be directed for the disarming and confining of Papists to their own houses, or else that some of the principal and most dangerous spirits of them in every county may be, as caution for the peaceable deportment of the rest,



confined to the custody of trusty persons in some places of safety, if to your wisdoms it shall seem meet ; and that such may be deputed for these services as are not to be suspected to use any forbearance therein ; as also, that such as are convicted recusants, some speedy course may be taken against them, either by the present laws in force, or otherwise, as shall seem best to your wisdoms, that they may not be left so full-handed, and so readily prepared upon all occasions to manage either their own, or the designs of others, to our so imminent and continual danger :

That the votes of popish peers and others coming in by proxy, being so apparent a grievance, may be redressed, which are found not only prejudicial to the wisest results of your consultations, but one which also affords them liberty and opportunity to act and encourage the promoting the popish cause in the kingdom :

And because that to the making of a more successful passage to the accomplishment of all these our so important concernments, it will be especially available, that matters in religion be chiefly regarded : We therefore humbly desire, that all such impediments as may hinder the progress thereof may be removed :

Amongst which we rank, in the first place, scandalous ministers, as also places unprovided of such maintenance as is competent for persons of better endowments ; humbly beseeching, that, for the remedy of both these, you will be pleased to pursue your former pious intentions ; as also, that ceremonial burdens may be removed, and religion settled in such a way, that such as make all conscience obediently to submit to magistracy and

civil authority in every degree and latitude of it, both supreme and subordinate, may not suffer under any penalty merely and only for conscience' sake :

And forasmuch as these our counties have undergone very great damage by the billeted soldiers, which now they are less able to sustain than before, by reason of the manufacturing trades of our country daily decaying, which we visibly discern, not only tending much to the present impoverishing of a great number of families, whose maintenance and livelihood hath become hitherto wholly supported upon that foundation, which, being not prevented, may prove to be of dangerous consequence, but also to the weakening of the estates of farmers and others, (because the benefit of wools and other commodities of our country, do much depend upon the prospering of these foresaid trades of manufacture) : We, therefore, humbly desire, that you would be pleased to direct such course, whereby considerable satisfaction may be made for what rests unpaid, to such of our counties as have been by the said billeted soldiers thus endamaged :

That this honourable House would be pleased to move the well-affected Lords, and they and you both join in supplication to his Majesty, that his Majesty would discover and nominate who those evil councillors were that advised to those unparalleled breaches of the privileges of Parliament, in charging those worthy members in so illegal a way ; and those who were any occasion so long to remorate the relief of our distressed brethren in Ireland, to the end they may be brought to condign punishment. And in case his Majesty shall not declare who they be, that then yourselves would be

pleased to endeavour to find out and declare who, in your judgment, have been the contrivers and fomenters of those evil councils :

And being confidently assured of your readiness to answer our desires, as in other things, so especially to further the military posture of the kingdom, we humbly tender it to your consideration, that for the speedy safety of our own country, both against our home-bred commotion or foreign invasion, we are ready and willing at our own charge, for three months next ensuing to maintain and billet three hundred of our band of Horse, and three thousand of our private Train Band of Foot, in some most convenient places of the several Ridings of our said county, (concerning which we have more particularly expressed our intendments in a schedule hereunto annexed), to be in readiness upon all occasions, if in your wisdom it shall be approved of. And if so, our most humble desire is, the way may receive countenance and confirmation, by some order from your honourable House :

And lastly, that such things may be achieved as are worthy of the excellent wisdoms and painful labours of such noble instruments, whom unto our great rejoicing of heart we evidently discern to be so faithfully and indefatigably studious for the public weal of this nation. We, therefore, for the better accomplishment of your honourable endeavours, and for our more complete enjoyment of the precious fruits thereof, most humbly desire that the High Court of Parliament (of the infringement of the liberties whereof we are very sensible, and which in all your just and honourable ways we shall be ready to our utmost abilities to assist against

the enemies of God, the King, and State,) may in all the power and privileges of it be inviolably maintained.

And your Petitioners shall daily pray, &c.

This Petition was subscribed by Sir Thomas Gower, Sheriff ; Sir Mathew Boynton, Sir Thomas Fairfax, Sir John Bouchier, Sir William Fairfax, Sir John Ramsden, Sir Arthur Robinson, Sir Thomas Gower, sen., Sir Hugh Bethell, Sir John Savile, Sir Marmaduke Langdale, Sir Edward Rhodes, Sir Richard Darly, Sir John Goodrick, as well as by many more of the gentry, "and others of quality;" by Edmund Cooper, Lord Mayor of York, and by the Aldermen of that City.

Before signing the Petition, the High Sheriff took the Protestation, and "all the Knights and Gentlemen in order after him," agreeing at the same time, (if the dangers increased, and the Parliament approved), that they would muster 3000 foot, and 300 horse, for six weeks, in such parts of that county as might most conduce to its safety. The writer of the following letter stood alone as a dissentient :

TO THE RIGHT HONOURABLE MY WORTHILY HONOURED  
LORD, THE LORD FAIRFAX, IN PALACE YARD.

MY LORD,

I HUMBLY thank your lordship for your last ; and truly, though it becomes not me to censure any act of my countrymen, yet I must profess, there are some passages in the petition I received from your lordship, which I should by no means have assented unto, but it is not their pleasure to call me to any of their meetings ;



but (if the Petitioners did summon me) my occasions which withhold me from them, (as your lordship pleased to write), wherewith I am not displeased, unless I were able to do my country the service I desire. By the time others have undergone the like burden, trouble, and charge I have done in public service, I think they will be best contented to rest quietly at home, unless their pains and endeavours were better accepted than mine have been; but it is my misfortune to be misconstrued by too many, and I must be contented with it, for so my friends understand me aright, I do not much value other opinions.

God Almighty prosper all your proceedings, and crown them with peace and honour to God, King, and State! which shall ever be the vote of, my lord,

Your lordship's faithful and humble servant,

EDWARD OSBORNE.\*

*25th February, 1641. (N.S. 1642.)*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

I PERCEIVE our Yorkshire petitions were presented the last week, and that at the first view they seemed subject to some misapprehensions, especially in that particular touching the Militia, where we offer in part to maintain 300 horse and 3000 foot of our

\* Sir Edward Osborne, father of the first Duke of Leeds, was a firm royalist. He was Vice-President of the Northern Court when Wentworth was its President. When Charles gathered together his army in the North, Sir Edward was his Lieutenant General. He was connected with the Fairfax family in consequence of his marrying the eldest daughter of Viscount Fauconberg.

Trained Bands within the country ; yet I hope, when they shall be reviewed, they will discover our sense to be, that we thought the due burthen and proportion of the country to be no more than 3000 foot and 300 horse, which we desired might, for the present, be kept in exercise under the sheriff's command, for suppressing insurrections, which are feared both there and here, from the Papists and their adherents : and this only until such time as the Lord Lieutenant should see it convenient to send down other directions ; which very words I often urged to be inserted into the letter to my Lord Lieutenant. Nor do I think that any man did intend to charge the country with so great a burden as our resolutions seem to offer, unless some inevitable necessity constrained it. But we all fear some secret machination to disturb the peace of the land, and to divert the courses of the Parliament ; and our intention was, and is, to make known to the world that this country should be no fit stage for that tragedy.

The last Friday I received your lordship's letter, and the King's most welcome message of the 14th of February, which hath caused in this country extreme passions of joy in the well-affected, and of grief and dejection in the malignants.\* And now the Lord Digby's letter doth evidently discover a purpose of a commotion amongst them, which I hope the King's wisdom and goodness hath prevented. But certainly all the ill-affected in the land had some secret notion of it ; for here have been many rumours of such intendments,

\* This message promised a Proclamation against Recusants ; and to refer "the Government and Liturgy of the Church to the wisdom of Parliament."—*Husband's Collections*, 75.

which when they have been searched after, they fly before the pursuer as a shadow, and at length vanish into air.

The only botch of that disease that hath broken forth were the 200 blue ribands at York last Tuesday, whose pretence was only against the breakers of the church windows, who took away superstitious pictures ; but the rout was dispersed by the providence of the mayor and citizens, without any harm done.\*

On Tuesday last the ministers, churchwardens, constables, and overseers of the poor in this wapentake of Claro, (Ripon parish and liberty excepted,) came to Knaresborough and took the Protestation ; and I think all men in these parts (recusants excepted) will take it ; of which I shall return certificate to your lordship and Mr. Bellasis the next week, when the ministers are appointed to bring in their certificates, according to the Speaker's letter. Sir John Goodrick and Mr. Marwood were detained either by sickness or some urgent occasions ; but Mr. Hopton came and assisted at that service.

The sheriff sent me copies of the petitions to the King, Lords, and Commons, and desired me to get signatures to them to be sent to the Parliament, to signify the full concurrence of the country with the Parliament ; which I have done, and sent to him this day, as he desired, with 530 hands subscribed, all men of good substance. I think if there had been time to

\* *Blue* was the colour selected as a badge by the Royalists ; and our present hustings' cry of "True blue will never fade," may be traced to the Royalist ballads of the Civil War. *Orange* was the colour similarly selected by the Parliamentary party. They did so in compliment to their Commander-in-Chief, the Earl of Essex, it being the colour of his livery.

send it to the ministers to procure subscriptions, that most men would have signed to them that take the Protestation ; for no man that I know neglected to sign the petitions, save only the parsons of Kirkeighton, Ripley, Goldsborough, Hunsington, and Nydd, and some few that should have been guided by them ; who all of them nevertheless took the Protestation. The forwardness of the country to run the Parliament's way must invite a like care from the House to pay their billetmonies, of which I beseech your lordship and Mr. Bellasis to be very sensible, for the country doth really grow poor, and wants the money.

Sir John Mallory came home on Wednesday at night ; but whether he be employed by the House upon some special service, or come about his own private occasions, I do not yet hear.

Henry Benson is fled, as all men think ; and it is said by some that he is gone to Nocton, which is Mr. Townley's house in Lincolnshire, and there lurks.

Mr. Cockill, of London Bridge, wrote the last week to some friends of his to make way to get himself elected burgess of Knaresborough ; for he writ that Derelove was absolutely rejected by the House, and that a writ would come presently for a new election. But this I shall not believe until I hear it from your lordship.

I beseech your lordship let Sir William Constable know that, for certain, William Derelove, as he went from hence to the Parliament, lighted at Plumpton, and stayed there an hour, his brother John and Tom Parker in his company, and Mr. John Plumpton set him from thence to Wetherby, and there parted with him, which shows apparently an entire affection with the



popish parties. This is related to me by Dick Tenant, a paviour of Knaresborough, who followed Derelove to Plumpton. I fear I weary your lordship with my lines, which I hope you will excuse, because they flow from the unfeigned affection of

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*25th February, 1641. (N.S. 1642).*

Upon the general search made by constables on Friday last, there was neither priest nor arms found with the Papists in Claro.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

UPON Friday last the high sheriff gave me notice that there is some working to have an anti-petition by the country to the Parliament, to cross that subscribed by us, and therefore desired me to engage as many as would consent to ours, by procuring their subscriptions, which I have done in some measure, though nothing in comparison to that I expected. For I find the sense of the people poisoned with an opinion infused to them, that all who subscribed the petition, and none else, must contribute towards the maintaining of soldiers of the Trained Band, for suppressing of insurrections; and though I have endeavoured to root out the error where I chanced to find it, yet I find it prevails with the multitude. I send inclosed a

view of the Protestation as it hath been taken in these parts, and where and by whom neglected ; and I desire your lordship to direct me whether this brief manner of certificate be sufficient to satisfy the expectation of the House or not ? — for if all the parties' names must be transcribed, two or three quire of paper will not contain them. Until I understand from your lordship in what other form it is expected, I shall forbear preparing any other certificate for the other justices to sign ; for it will be necessary they join in certifying, to give the work more credit with the Parliament.

The estreat for the poll-money is returned back to me from the other commissioners on Wednesday last, so I send it this post to your lordship and Mr. Bellasis. For the exercising of the Trained Bands I hope there will be no necessity, until the Militia be settled by Act of Parliament, or some other order for the present sent from the Lord Lieutenant. And yet I do not think that it is the Papists only that are to be feared ; there be others like to adhere to them, no less formidable than the recusants themselves.

I hope this post will bring us news of the King's return to the House, and of his full assent to their advices. It much afflicts the good subjects to hear that anything should obstruct the free current of his grace towards them ; and no man can doubt but that ill-affected spirits do frame themselves hopes of rising by those ruins caused by such distractions.

Our neighbour Thomas Derelove is now at home with his mother. He hath taken the Protestation, and desired a certificate of it under the hand of Mr. Rodes, and

likewise a pass or certificate from him, signifying that he is a Protestant, and that he is to travel into the south about his occasions, and desiring all men to let him pass. But where his brother John and his father Benson lurk, I do not yet certainly hear. Their friends cast out great boasts amongst their Knaresborough neighbours, that they will all three prove themselves honest men, and that those that signed the petition against William Derelove shall be deeply fined, and thus they endeavour to fright the doating multitude, who nevertheless begin to disvalue them, and give less credit to their words than heretofore.

I hear of certain commissioners come down for loan of moneys towards the Irish war, upon which I fear little will be gotten in these parts, unless there be both good encouragement and assurance for the adventurers: whereof I have not yet heard any particulars, other than is expressed in the Diurnals, and there the proportions of land seem to be high rated—the casualties being considered.\*

I hope your lordship, amongst those many troublesome affairs that daily fall upon you, do still continue your health, which is most affectionately wished by,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

4th March, 1641.

\* The Commissioners here spoken of were appointed in accordance with a vote of both Houses of Parliament, and approved by the King, for raising money for the relief of Ireland. By that vote, whoever "adventured," or gave 200*l.*, should have one thousand acres of land in Ulster, out of the confiscated estates of the rebels; for 300*l.*, one thousand acres in Connaught; for 450*l.* and 600*l.* a similar extent in Munster and Leinster respectively.—*Husband's Collections*, 84.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

SOME that are come down from London this week have brought the message sent to his Majesty from the Parliament on the 2nd of March, and his Majesty's tart return upon it,\* which doth not a little trouble the good subjects, who fear these distances between the King and his Parliament (if a speedy reconciliation be not made), will not only lose Ireland, but also hazard the prosperous estate of this land by intestine troubles. We hope this post will bring us more comfortable news: if that hope fail, then we are apt to entertain belief that the King will retire into this county, where the subjects are divided in opinions. Therefore, it is not unworthy the Parliament's consideration in my conceit, to propose some course likely to unite the people, and to send an order from both Houses, directing the subjects so to comport in their observances, as that they may neither fail in the least duty of loyal subjection to our gracious Sovereign, nor therein waive any loyal interest or liberty of the subject. This course, though it be well abstracted in the Protestation, yet in some particulars will require a large and full explanation, suiting with the dangers now imminent, which I conceive to be especially the misapplying of the Militia, if any such matter should be attempted. And it would not

\* The King's reply, that "he would not alter a point" in his determination about the Militia.



be amiss also to employ some able pen to publish a discourse of the originals of this Militia, called the Trained Bands, and in it to declare to what purpose it was instituted, and how it was to be employed and commanded ; and for what causes the trust of command and ordering them was conferred upon the sovereignty, settled in the person of the King, who, indeed, though he were an infant, is *Pater Patriæ*, and most properly so called when he is governed by advice of his great councils. I hope others will move in these considerations from hence, that they may be propounded to the House, if they be conceived requisite in these distracted times.

It is here apprehended that the King, in his message from Greenwich, points at this county, where he saith, some have intermeddled with the Militia, and declares his distaste of it. In this, nevertheless, we think that we have done nothing but our duty, being commanded by an order of both Houses ; and that for preventing of insurrections, and necessary preservation of our safety, which nature and reason do both allow, though peradventure it hath not been thought convenient to give it the formality of a law, lest the headstrong multitude should take advantage of it for contrary ends. And methinks it was ill policy to take notice of it as an offence, seeing the dislike of so necessary a work in so dangerous a season, may rather harden than mollify the resolution of the people.

The Protestation is, for the most part, taken through all Yorkshire. God grant it may be as well observed ! I am sure you hear how they challenge the under-minister at Bradford to have violated it, because he useth the sign of the cross in baptism, though it be yet established

by the law of the land ; but there the people dislike the minister. And lately, the churchwardens have with strong hand kept him out of the reading-pew and pulpit, and will suffer him neither to preach nor pray, but put others to officiate in his place ; but of that matter I assure myself you have more particular relation from thence. I have heretofore feared we had been remiss in the poll-cess in this wapentake of Claro, because ours did not amount to half the sum raised in Agbrig and Morley ; but now I see the reason of that apparently, for whereas our division contains about ten or twelve thousand polls, I find Agbrig and Morley hath at least twenty-six thousand, besides their great personal estates, for there are above thirteen thousand men who have taken the Protestation there.

Upon Wednesday last there was a meeting at York about division of the 8,750*l.* for billet, in which no full conclusion was made ; because most of the treasurers named in the statute, and many gentlemen who took and certified the accounts of billet-money, were absent ; so little was done, as may appear by the enclosed ; which slow appearance happened by mistaking the day appointed by the sheriff. If there be any other cause I am not acquainted with it, for all was concluded before I came thither ; though I came at length to consent to what was done by the rest and subscribe to it, as appears. I do now understand that William Derelove's sentence is past, for upon Friday last, 4th of March, Samuel Flesher came from London by post to Knaresborough, and brought with him a letter from William Derelove to William Conyers, dated the 2nd of March ; and therein he writ that his election was utterly disabled

and he rejected by the Parliament, and therefore desired for the good of the town, that all the inhabitants would sign a petition to the Parliament, (which petition he sent ready drawn) desiring the House to pardon their former errors, and to grant them a writ for a new election. And, withal, he advised they should write a letter to Sir Henry Slingsby to prefer their petition ; and then he desired that all who gave voices with him should be moved to promise at the new election to give their voices to William Flesher, the linen-draper in St. Lawrence Lane. This was the substance of his letter, and I perceive it is done with a purpose to hinder Sir William Constable's admission into the House ; for it was instantly gotten signed by William Baroby, brother-in-law to Flesher, with assistance of Benson's faction, and sent up by post the same day it was brought. But my hope is that Sir William Constable is already admitted, who wanted only the formality of the bailiff's hand, which he now may be ordered to put to the indenture, if the House please, for it is evident the other election was factious and unlawful. And now this part of the country do owe thanks to the Parliament, and more particularly to your lordship, for discovering and purging the House of such unworthy members as Benson and Derelove, who are well known to have only used religion for a cloak, and law, to oppress and deceive where they had power. Now I conclude, wishing to your lordship much increase of honour and health, and am,

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

11th March, 1641. (N.S. 1642.)

Sir Richard Hutton, Sir Richard Gryme, Sir Richard Musgrave, Sir John Goodrick, Sir Robert Strickland, Sir John Mallory and Mr. Musgrave were yesterday altogether at Goldesborough, where they have been divers days making merry with Sir Richard, who is his father's successor for good house-keeping.



## CHAPTER X.

The King's preparations for war—Queen's departure for Holland—Proceedings of Parliament relative to the Prince of Wales—The latter brought to the King—Negotiations relative to the command of the fleet—The King proposes to visit Ireland—The King's statue at Greenwich—Bernini a physiognomist—The Pope displeased with the Parliament—The King reaches York—Letters from Mr. Stockdale—Petition to the King in agitation—Reports about Hull—Ruthven and King visit Charles—Billet-money still due—Commissioners from the Parliament—Lincolnshire Petition—The King's answer to the Declaration of Parliament—Yorkshire Petition—Paper warfare between the King and Parliament—Demands of the Parliament—The Hull Magazine—Committee from the Parliament to the King—Letter to the Parliament—Reception of the Committee—Limited mustering of the Yorkshire gentry—The King's proposal for a guard—The Committee prepare a Petition—The King censures them—Their interview with him—The King summons the Freeholders, &c., to meet on Heyworth Moor—Large Assemblage—Sir Thomas Fairfax presents a rejected Petition—Extract from his "Short Memorial"—Answer to the Petition—The Earl of Newcastle's Proclamation for arms—Northern Intelligence of some preliminary operations—The King levies money—Arrival of the Northumberland Horse—Doncaster garrisoned—Cawood Castle—Leeds taken possession of—Skirmish at Darnton—The Danish Ambassador arrives—First officer killed at Percy Brigg—Skirmish at Wetherby—Approach of the King's Army—Attacks Tadcaster—Retreat of the Parliament forces—Successes of Sir Thomas Fairfax.

FROM the day that the King withdrew from Whitehall after the signal outrage he had committed on the privileges of Parliament, and failure in his attempt to seize the five members, he began his preparations for an appeal to arms; an appeal which every one then perceived must be almost certain if he persisted in his endeavours to arrest the progress of reform, and inevitable if he endeavoured to recover those

portions of his prerogative which the Irish Papists considered to have been "wrested from him by the Puritan faction in Parliament."

The first preparation for war made by the King was to obtain that supply of ammunition and arms from abroad, which the vigilance of the Parliament had prevented him obtaining from the arsenals of England. For that purpose, as well as to place the Queen in safety (for there were rumours of an intention to impeach even her of high treason), Charles hastened her departure to Holland. There was some unconfessed fear also lest the Parliament might prevent her embarkation, for the purpose of having her more within their power, if required, as a hostage. To avoid this, we have seen there is reason to believe that even the bishops' votes in Parliament were sacrificed.

The King, in order quietly to remove the Prince of Wales from a similar danger, directed his new governor, the Marquis of Hertford, to bring the Prince from Richmond to Greenwich. The Prince had been sent to Richmond, "that there might be no room for the jealousy that it was purposed to transport him beyond the seas;" and now, so soon as the fairness of the wind enabled the King to determine that the Queen could depart, and he could be at Greenwich by a certain day, the Prince was directed to meet him there. Even this circumstance roused the suspicions of the Parliament, and they, knowing the illness of his governor, but ignorant of the Queen's departure, deputed the Earls of Essex and Holland, and Mr. Hyde to proceed to Dover, and request that the Prince might not be removed from Richmond, until the Marquis could be his

attendant. Whilst they thus petitioned the King, they sent an order to the same effect to the Marquis.\*

The Queen having sailed, the Parliament deputation met (February the 25th,) the King on his return, at Canterbury, "with a very little court, most of his servants having leave to go before to London, the better to provide themselves for a further journey." The King's answer, "Mr. Hyde was very much troubled" to find "had much sharpness in it;" for this could not aid the King to obtain his wish, that the young Prince should be with him, and might exasperate the Parliament to a sterner interference. At a private interview, Mr. Hyde prevailed upon the King to recall his answer, and to promise another reply when he reached Greenwich, and the soundness of the advice was shown by the result, for when the King arrived at Greenwich he found "the Prince there with his governor, who, though indisposed in health, without returning any answer to the Parliament, brought the Prince very early from Richmond to Greenwich." This put the King at ease, and he now told Mr. Hyde, "I will say nothing of the answer, for I am sure Falkland and Culpepper will be here anon; and then prepare one, and I will not differ with you; for now I have gotten Charles (his eldest son) I care not what answer I send to them." The King then expressed his regret that he had consented to the bill for excluding the bishops from Parliament, "which he said he was prevailed upon to do for his wife's security, but he should now be without any fear to displease them (the Parliament)." †

\* Clarendon's Autobiography, 53.

† Ibid. 55. Sir Richard Bulstrode says, that both the Prince of Wales

We have seen that the King acted as if divested of that fear in his replies to the Parliament relative to the Militia, and the same firmness was maintained by him in some similar negotiations concerning the Navy. The Parliament applied to have Sir John Pennington removed from the office of "Commander of the Fleet," and the Earl of Warwick promoted to the office of Lord Admiral; but the King, now at York, replied that "he saw no reason why he should give way to the alteration."

Charles then informed the Parliament on the 8th of April that he purposed going to Ireland, "to settle the peace of that kingdom and the security of this." This was sufficiently startling to the Parliament, more especially as it was coupled with the announcement of his determination "to raise a guard for his own person at Westchester, of 2000 foot and 200 horse, to be armed from his magazine at Hull."\* Nor was this all; for they had also been advised by Mr. Secretary Nicholas that the Pope was much incensed at their proceedings against the priests, and others of his creed, and that, "if they so proceeded, his Holiness would cause an army to

and the Duke of York were brought to the King at Greenwich. "I will not omit," says this writer, "one passage at Greenwich, before the King left it, which was somewhat strange and ominous. The King commanded his statue to be carried from Greenwich Garden into the Magazine. In the carriage of it, the face being upwards, a swallow, or some other bird, flying over, dunged in the face of the King's statue, which was wiped off immediately, but, notwithstanding all endeavours, it could not be gotten off, but turned into blood. This statue was made at Rome, by the famous statuary, Signor Bernini; and when the King's picture was brought to him, by which he was to make the statue, with positive directions to conceal whose picture it was, the Signor said he had never seen any picture whose face showed so much greatness, yet withal such marks of sadness and misfortune."—*Bulstrode's Memoirs*, 66.

\* Rushworth, V. 558—60.



be raised and sent into Ireland." The Parliament could not but suspect that a secret combination was visible in those proposed movements, and the more so when they heard that the Earl of Newcastle had endeavoured, in disguise, to gain an entrance into Hull. They protested, therefore, against the King's proposed journey, as being without their advice; as dangerous to his person, as encouraging the Papists, and as rendering "doubts more probable of some force intended by some evil councillors in opposition of the Parliament." But the Parliament did not stay here, for they added, that they not only would not assent to the expedition, but that they would not "submit to any commissioners his Majesty should choose, but would preserve and govern the kingdom by the counsel and advice of Parliament."\* His reply was dignified; but, though he had the best of the argument, he consented "not to pursue his resolution until he had given them a second notice."

Charles had reached York on the 19th of March, and Sir Philip Warwick's observation, that he was "cheerfully entertained there," is confirmed by the following letters:—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, AT WESTMINSTER.

MY LORD,

I CAME this day to York to meet the Sheriff, (Sir Thomas Gower,) and other gentlemen of the country, to advise what request is fit in these distracted

\* Rushworth, 561—3.

times to be made by this country, that may conduce to reconciliation of those distances betwixt our King and Parliament ; but the Sheriff's eldest son died this morning, which prevented his coming to town, and so disappointed our meeting. The business we put off to the assize week, and then I hope such moderate propositions will be made as shall not distaste the King, who will disrelish it if we should desire him to depart from us. And many of the leading men decline that way, besides the inferior people, who term them Roundheads who are suspected to intend and assist such a petition, and threaten them ; and others term them Gadarenes, that desired Christ to depart out of their coasts ; and I hear that in the Bishopric most of the people declare themselves favourers of these distractions, and rejoice in them. Yet the King himself declares a gracious care to intend the peace and welfare of the land, and doth neither send to demand Hull, nor contradicts any order settled by the Parliament ; indeed here is a speech of coat and conduct-money required by Sir John Hotham for the garrison at Hull, which is not well understood.

It is given out the King will stay long in these parts, at least till St. George's day be past. His press is come, which is set on work to print his Majesty's answer to the Declaration of Parliament, sent to Newmarket, which manner of disputing is like to prove dangerous, and cannot suddenly be prevented, unless both sides be pleased to decline a little of their former resolutions, and meet in the middle. It is conceived that if Hull were put under command of one chosen by the King, and yet such as the Parliament should allow, it would give his Majesty great contentment. I see few of the country

gentlemen resort to Court, the restraint of Papists is partly a cause of it. From the south are come many of the commanders of the late army ; they continue here, and speak loud in their sense of these affairs that distract the State ; and from Scotland, here have been Ruthven and King, but they are gone away post, yesterday, and, it is said, to Germany ; but they went southwards.\*

I perceive some endeavour to have the Roundheads, as they term them, cast into balance with the Recusants, and to declare they are no less obnoxious to the peace of this land than the Papists. And against these sectaries will the pretence be, if any force be attempted.

But hitherto the generality seem nothing moved, nor can I perceive any intention in them to desert the Parliament. It is not unlike that many particular men, for private respects, declare themselves Anti-Parliamentarians in their opinions, but they are few in comparison of the other party. The letter from the Speaker of the Parliament to the Sheriff, hath cooled the hot invectives against the Yorkshire Petition ; and if 30,000*l.* were borrowed and paid to the country in part of their billet, it would much engage the people to confide in the Parliament, and it is but just to be done. I was told by a churchman that fled out of Ireland upon these troubles, that before he came from Dublin, it was vulgarly spoken there, that there were three hundred priests and Jesuits who came out of England to Ireland, the last summer, upon pretence of fear of persecution

\* These were General Sir Conrad Ruthven and Colonel King, both very active officers in the King's service.

here by the Parliament, and that it was verily thought the Rebellion was contrived and set on foot by their practice ; and, if that be true, then certainly all the Papists in England cannot wash their hands of that plot.

Henry Benson, and his sons, Tom and John, are now about home ; and William Derelove came home on Tuesday last, and boasts as one that hath gotten the victory, and threatens all that have petitioned the Queen's council against him. I know not how that business is left, but it seems dismissed, for he hath gotten some favourable dispatch of his troubles, and in gratification, hath promised to get a friend of Mr. Tomkins to be elected burgess of Knaresborough, so he hath engaged himself to three several men ; and now I hear that Mr. Thomas Slingsby hath sent to stand for the place. The rest presents me

Your lordship's faithfully devoted servant,

THOS. STOCKDALE.

*25th March, 1642.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE  
LORD FAIRFAX, IN WESTMINSTER.

MAY IT PLEASE YOUR LORDSHIP,

THIS week I have been at home continually, where little novelty hath occurred,—nor can I discern that the higher spheres have any stronger influence in our lower orbs than hath been usual when more remote from us. On Saturday last I was with my Lord Dungarvon, the Lord Willoughby, and Sir Anthony



Erby,\* when they arrived at York, but stayed not to see their reception. I hear they found no cheerful entertainment of their negotiation ; yet report says they had a very gracious dispatch at their return, which I am sure you have there by this time. The Lincolnshire Petition found cold entertainment, and the gentlemen that attended it received some affront by the inferior rabble ; they termed them of Lincolnshire, Roundheads, and so they do all others that desire the King's return and accord with the Parliament. I am confident such routs are most displeasing to the King, though I am persuaded the people are emboldened by his presence to act them, supposing them acceptable to his Majesty. But if such disorders be not prevented, the King will want attendance and observance of the country, and the city want resort of much company that would otherwise flock to it.

The King's answer to the Declaration of the House is published here, and in it methinks he doth rather endeavour to express that he hath cause to be displeased, than that he is displeased with the Parliament ; and on Sunday last I am told that his Majesty said to the Lord Mayor and Aldermen, that he thought he should shortly leave them, and return to his Parliament, all which import a pacific resolution in his Majesty ; and I hope this country, which was the birth place of the Parliament,† shall also bring forth that much desired union of King and people, and make all the kingdom debtor to it for those great benefits.

It would very much content this country if the money due for billet were borrowed by the House, and

\* Commissioners from the Parliament.

† The Resolution to summon a Parliament was announced at the Treaty of Ripon.

paid to them, for the 8,750*l.* doth rather displease than satisfy them ; it is but about an eighth part, and the simpler people are possessed with fears that this is all intended to them ; and though the Speaker's letter doth well encounter that injurious conceit, yet the want of money bites the creditors, and it is both just and necessary to satisfy them.

I am persuaded that the forwardness of the Scots and Dutch to assist this nation, and the fortunate success of our forces in Ireland doth not a little conduce to the settlement of peace here, the malevolent party being discouraged to raise insurrection, seeing they cannot hope for succours from other parts ; and I hope they shall ever find themselves too weak to effect any considerable matter, other than their own ruin. Henry Benson, William Derelove, and his two brothers, continue about home, as it is believed, though none of them come abroad save Will Derelove, who is now going to London again. I know not his business ; it may be to press for his office again, which his corrupt carriage hath shaken.

It grieves me much that noble Sir William Constable should be kept out of the House by the interposition of Derelove's most unworthy election. I know not how prejudicial his admission may be to the privileges of the House, by making this a precedent for elections that shall hereafter want formality. But if a special order could be conceived by the House to allow Sir William for this time, in respect of the corrupt carriage of Benson, and the factious election and return of Derelove, and the petition of the boroughmen pressing his admission, though illegally elected and returned ; it would but deter others from like courses, and coun-

tenance that religious noble gentleman, whose reputation suffers in failing of his desire to serve his country.

When the King came to York, the Sheriff and others at that time there, thought it necessary that the country should petition his Majesty's return to Parliament, and we resolved to assay the country to it ; whereupon I framed the enclosed draft, and upon the 20th of March I got our town all to subscribe, and other towns promised the like. But on Monday I went to Ripley to get Mr. Ingilby and Captain Atkinson to sign, and procure other subscriptions, which they then delayed, till it were propounded more generally by the gentry of the country ; so there I stopped, and went no further. And what the country will think convenient in the assize-week, I know not ; but I send the copy of the petition enclosed, and acquaint your lordship with my proceedings, lest they may be mis-reported, as most things are in these days. And here I conclude, and am,

Your lordship's humble and devoted servant,

THOS. STOCKDALE.

*1st April, 1642.*

I hope we shall petition the King in such a style as shall please both him and the Parliament, and shall neither be guided by the Kentish Petition in some particulars, nor deterred by the slight answer given the Nottingham Petition, nor the affront of the Lincolnshire petitioners. The ships at Scarborough I think will prove of no power, if they had instructions to offend us, which I think they have not.

The petition mentioned by Mr. Stockdale was adopted

and signed at the York Assizes, on the 5th of April. It passed by all other topics of minor consideration, and after quoting "that infallible oracle of truth, *A kingdom divided cannot stand*," added this earnest prayer, "We, from the centre of every one of our hearts, most earnestly supplicate that your Majesty will be graciously pleased to declare such fit means and expedients as may take away all distances and misunderstanding between your Majesty and your great Council." \* The wording was sufficiently deferential, and therefore was received graciously ; Charles, both by his reply on the instant, and in his written answer two days subsequently, studiously endeavouring, both by the expressions employed, and the topics touched upon, to propitiate his "good lieges" of York.

These endeavours did not succeed to his satisfaction, but led to further petitions and answers ; so that these, added to the declarations from the Parliament, and the replies they required, must have kept "honest, but heavy" Mr. Secretary Nicholas most sedulously employed.

The declarations from the Parliament enumerated grievances in language even still more plain than upon former occasions, and asked for still more stringent remedies. They petitioned that all the great officers of State, "excepting such as have offices by inheritance," might be superseded by "such persons as should be recommended by both Houses of Parliament ;" and that those displaced should not have access to the King. Of the minor officers they requested the removal of four :— "Mr. William Murray, Mr. Endymion Porter, both of the Bed-chamber ; Sir John Winter, late Secretary to

\* Rushworth, V. 613.



the Queen ; and Mr. William Crofts ;” being all “ instruments of jealousy, discontent, and misunderstanding.” That the Queen should take an oath not to interfere in affairs of State ; and that the officers of Government should swear that they had not applied for preferment through her influence :—That it should be high treason to propose the marriage of any of the Royal family with any one of the Popish religion ; and that none of them should visit the continent, without the previous consent of Parliament :—That the celebration of the mass be totally prohibited :—That no peer, newly created, should have a vote in Parliament, without the consent of both Houses ; that no member of either House should be appointed to an office, without the consent of Parliament ; and “ that no office or employment be sold or bestowed for money.” “ These things being obtained and confirmed by your Majesty,” (we now quote the concluding words of one of the Parliament’s declarations,) “ They humbly conceive, that through the blessing of God, it will be an assured and effectual means to remove all jealousies and distempers betwixt your Majesty and your people, and to establish your royal throne upon the sure foundation of their love and confidence ; and thereupon, your dutiful and loyal subjects shall most cheerfully address themselves, with their lives and fortunes, to maintain and defend your sacred person, and your royal power and authority ; in a parliamentary way to support and supply your Majesty in so free and large a manner, as may make you as great and happy a Prince as any of your most renowned ancestors ; and upon all occasions, they shall be ready to use their utmost and most faithful endeavours, that

your Majesty, your Royal Queen, and princely issue, may enjoy all honour, happiness, and contentment, in the midst of an humble, obedient, and affectionate people ; whereby a hopeful way will be opened for your Majesty to become a glorious instrument of the peace and prosperity of this kingdom, and of all your friends and allies abroad." \*

Many of the objects thus required by the Parliament have since been granted and incorporated with the Law of England, whilst others, if granted, would make the Legislature the executive, and render the Sovereign an expensive inutility. Charles, however, would listen to none of these propositions ; and the approach to open warfare became more and more evident daily.

On the 2nd of April, the Parliament resolved that the magazine at Hull should be conveyed to London, and this was effected on the 29th of May ; † but in the mean time, April 23rd, the King, desirous to frustrate the Parliament's intention, endeavoured to gain admittance into the town, but was refused it by the governor. ‡

As some colour for that attempt, a petition was presented to the King, signed by Sir F. Wortley, Sir W. Wentworth, Sir J. Gibson, Sir T. Metham, Sir R. Hutton, Sir Paul Neal, Mr. Bryan Palmes, and not more than fourteen others, of less-known influence, requesting

\* Parl. Hist. II. 1161. These extracts are from a Declaration, drawn up on the 1st of April, which, not having been presented to the King, was afterwards laid before him in the form of "Nineteen Articles."

† Laud's Diary of that date.

‡ Full particulars of this, and of all the active warfare of this period, will be given hereafter. The King had refused his assent to the removal of the Magazine, a week before he attempted to enter the town ; and the Peers intimated to the Commons there was "a design to stay the arms there, and to use them for the disturbance of the peace of the kingdom."—*Parl. Hist.* II. 1178.

that he would not permit the magazine to be moved.\* A counter-petition, far more numerous signed by the gentry of Yorkshire, was presented to the King, about the last day of April, pressing upon him to assent to the removal of the magazine, as its continuance at Hull tended "to foment divisions between him and his great Council."

Charles directed these counter-petitioners to attend at York, to receive his answer, on the 12th of May ; but in the mean time a Committee from the Parliament arrived at that city. This Committee comprised, Lord Howard of Esricke, Lord Fairfax, Sir Hugh Cholmeley, Sir Philip Stapylton, and Sir Henry Cholmeley. They were directed, first, to announce publicly that Sir John Hotham had only acted in conformity with the Parliament's instructions ; secondly, to call upon the local authorities, to aid them in carrying out the commands of the Parliament ; thirdly, to prevent the employment of force against Hull ; fourthly, to announce the Parliament's deprecation of the King's attempt to induce the Yorkshiremen "to join with him for the defence and assistance of his person ;" and fifthly, if necessary, "for raising the forces of the county," to obtain arms and ammunition from Hull. There were some other directions of minor consequence, the whole of which the King met by forbidding any one to go out of the county until the Parliament had done his Majesty justice against Sir John Hotham, and by persisting in pressing the Yorkshire gentry to raise a guard for his person, which, of course, was a mere pretext for levying troops.

On the 9th of May the Parliament committee

\* Parl. Hist. II. 1186.



appeared before the King, and delivered a declaration to him from the Parliament relative to the proceedings at Hull;\* and on the morrow he delivered to them his reply, adding "a strict command" to bear it personally to the Parliament. "We told him," says the letter of the committee, "that we were commanded to stay here, and attend upon him, and use our best endeavours in keeping the peace of the country. To which he replied, 'That if we would positively disobey him, and stay here, he would advise us not to make any party, or hinder his service in the country ; for if we did, he would clap us up.' We humbly answered, 'That our denying to go at this time was no personal disobedience in us to his Majesty, but that we were engaged in our duty to the Parliament, and in our honour ; having undertaken to observe those instructions we had received, and which were tending only to his honour and the peace of the kingdom, but not to make nor nourish any party ; nor could we be commanded from staying here to execute them, without a great breach of the privilege of Parliament.' Upon this our humble excuse that we could not depart thence, his Majesty enjoined us to attend his person on Thursday, to hear what he should say to the gentlemen who were summoned to appear. After divers other passages, he commanded us to show him our instructions ; and withdrawing into a private room from the great company who was there present, he heard them read, took one of our copies, and so dismissed us."

On the 12th of May the gentry of Yorkshire assembled in obedience to the King's mandate ; the attendance, and, we may believe, the summonses, being limited to

\* Rushworth, V. 615 ; Parl. Hist. II. 1222.



those who were friendly to his cause. The Parliament committee was also there, and Charles at once referred to "these messengers;" and, after having caused the various correspondence which had passed between himself and the Parliament to be read, he proceeded to observe, that "since treason was countenanced so near him, it was time to look to his safety."—"I vow," added the King, "it was part of my wonder that men (whom I thought heretofore discreet and moderate) should have undertaken this employment, and that since they came, (I having delivered them the answer you have heard, and commanded them to return personally with it to the Parliament,) should have flatly disobeyed me, upon pretence of the Parliament's commands. My end in telling you this is to warn you of them; for since these men have brought me such a message, and disobeyed so lawful a command, I will not say what their intent of staying here is; only I bid you take heed, not knowing what doctrine of disobedience they may preach to you, under colour of obeying the Parliament. Hitherto I have found and kept you quiet, the enjoying of which was a chief cause of my coming hither, (tumults and disorders having made me leave the south,) and not to make this a seat of war, as malice would, but I hope in vain make you believe. Now if disturbances come, I know whom I have reason to suspect.

"To be short, you see that my magazine is going to be taken from me, (being my own proper goods,) directly against my will; the Militia, against law and my consent, is going to be put in execution; and, lastly, Sir John Hotham's treason is countenanced. All this considered, none can blame me to apprehend danger.

Therefore I have thought fit, upon these real grounds, to tell you, that I am resolved to have a guard, (the Parliament having had one all this while upon imaginary jealousies,) only to secure my person ; in which I desire your concurrence and assistance, and that I may be able to protect you, the laws, and the true Protestant profession, from any affront or injury that may be offered ; which I mean to maintain myself without charge to the country ; intending no longer to keep them on foot than I shall be secured from my just apprehensions, by having satisfaction in the particulars before mentioned.”\*

The reception which this speech and the reading of the correspondence met with from the audience is thus told by the Parliament committee :—

“This reading was done with much humming and applause of the King’s messages, by some persons who had placed themselves near about where his Majesty stood ; but when anything from the Parliament came to be read, with so much hissing and reviling of the Parliament, that though, in respect and duty to the King’s person, we could not resent it as otherwise we should have done, yet we have since expostulated and complained of it to his Majesty. Some were so bold as to say openly, ‘That the Parliament-men should set their houses in order, for many of them should shortly have their heads off ;’ one of which (as since we are credibly informed) was one Hurst, a servant to Mr. William Crofts. In this, which was said by the King, you will see what reason we had to vindicate ourselves ;

\* Rushworth, V. 616.

and, therefore, we immediately repaired to the Dean's house, with all the other gentlemen, and there we took notice of the rough usage we had received. We told them that it was neither indiscretion nor disobedience in us (as his Majesty was pleased to call it) to deliver the Parliament's message, or to stay here, though commanded to the contrary, since we conceived no man needed to be satisfied in so clear a case as this, that every member of each House ought to obey their commands, when they were pleased to employ them ; but since his Majesty thought fit to bid them take heed of us, not knowing what doctrine of disobedience we might preach to them, under colour of obeying the Parliament, we appealed to every man whether we had, in word or deed, in public or in private, done anything that became not honest men, and persons employed from the Parliament : that we had communicated our instructions to his Majesty, being that whereby we would avow all our actions, that we were confident it would not be said we had transgressed them. This was very well taken, and justified by the country.

“Yesterday there came divers thousands of freeholders in this city, though none but the gentry were summoned ; but, receiving a command from the King not to come to Court, they forbore, and staid in the Castle-yard, yet sent this petition inclosed to his Majesty, and received the answer annexed thereunto. There was likewise a committee of twelve gentlemen appointed yesternight, to consider of drawing up an answer to the King's proposition concerning a guard ; but nothing could be then done, because it was past three o'clock before the gentlemen were admitted

to the King. This morning the freeholders assembled again in the Castle-yard ; there they made this protestation inclosed of their right of voting in what concerneth the peace of the country, as having their interest therein. When we all met this morning again at the Dean's house, we, who are your committee, received this message by Sir Edward Stanhope : ' That he came from his Majesty to command us that we should depart from this meeting ; and if we did stay, his Majesty would judge us guilty of what he spake of yesterday, which was, tampering.' Notwithstanding which command, we read the 4th Article of our instructions to the whole company, that being pertinent to the business we were then upon ; and desired them to consider whether the Parliament had not expressed therein such a care of the King's safety, that there would be little need of guards. We told them that we had a good right of being there as freeholders of the county, but that in obedience to the King we would depart for this time ; yet whensoever there should be occasion of our being there, in pursuance of our instructions from the Parliament, we should be ready. The whole company received great satisfaction, and desired a copy of that instruction, which we gave them.

" We were the more willing at that time to go from thence, because we should not only give obedience to the King's command, which otherwise he would have said we constantly disobeyed ; but because the committee of twelve, appointed yesternight, were then to withdraw ; so that there was nothing for the present for us to do. We immediately went to the King, and besought him, that since we were continually so dis-



countenanced by him, in the face of our county, he would be pleased to let us know in particular wherein we had given the occasion ; for we otherwise conceived we were deprived of that liberty, which was our due in respect of that interest we had here. His Majesty was pleased to tell us, ‘That if we would lay aside that condition of committee from the Parliament, he would not hinder us to be there as gentlemen of the county.’ We humbly replied, ‘That we could not lay that down, nor could be absent from any meeting, where our presence was required for the service, as a committee from the Parliament.’ To which his Majesty said, ‘That indeed he thought we could not lay it down, neither was it reasonable that we should have votes, and be in a double capacity.’ The committee hath been together most part of this day ; but not agreeing, six of them have drawn up this answer inclosed, which they have communicated to the gentlemen and freeholders ; the greater part of the gentlemen, and all the freeholders, have agreed to, and subscribed it. The other six have concluded upon this other answer, consenting to a guard of horse ; but to this we do not hear they have gotten many names, nor can we get a copy of those names as yet, though these be very few ; yet whether they can bring in any horse or no, we cannot yet judge.” \*

Some few of the Yorkshire gentry agreed to aid in “raising a guard of horse” for the King ; but, at the same time, “humbly desiring that the aforesaid guard may be raised by legal authority ;” but others, whilst professing all due allegiance, gave no other answer than

\* Parl. Hist. II. 1226.

to recommend the King "to hearken to the counsels of Parliament ;" and the party who accompanied the committee to the Dean's house, went still more in opposition to the wishes of Charles, by recommending him "to impart the grounds of his fears and jealousies" to the Parliament ; and promising "whatsoever might be advised by that great council, they would willingly embrace."\*

The King speedily discovered the error he had committed by excluding the freeholders from the late assembly, relative to the formation of his guards ; and therefore issued a proclamation, summoning "the ministers, freeholders, farmers, and substantial copyholders," to meet him on the 3rd of June, on Heyworth Moor.

On that day and place, there met an assemblage of from 80,000 to 100,000 men ; "the like appearance was hardly ever seen in Yorkshire." Charles appeared among them, and commanded his Declaration to be read. It began with assuring them that he "never intended the least neglect to them in his former summons of the county," and then proceeded to assure them of his determination to uphold the Protestant Religion, and the law. It then assured them that the raising a guard "to himself and his children's persons" did not endanger the continuance of peace, but rather would tend to avoid war, "for his choice was of the prime gentry, and of one regiment of the Trained Bands (Sir Robert Strickland's)."

As a counterpoise to this declaration, a petition had been prepared, and entrusted to Sir Thomss Fairfax, for presentation to the King, and copies of it were

\* Rushworth, V. 617.

dispersed among the assembled freeholders on Heyworth Moor. Charles refused to receive this petition, and persisting in his refusal, Sir Thomas Fairfax followed him to the Moor, and there, "in the presence of that assemblage of the county, pressed so closely upon the King. that at last he tendered the petition on the pommel of his saddle." \*

That petition represented the inconveniences arising from the King's continuing in Yorkshire, distant from the Parliament, and "drawing into those parts great numbers of discontented people," collecting horse and foot, "entertaining multitudes of commanders and cavaliers from other parts," and "by the great preparation of arms and other warlike provisions." It set forth the interruption of commerce, "insomuch that many thousand families who had their livelihood by the trade of clothing were at the point of utter undoing," and concluded by beseeching the King to refrain from all warlike preparations, and to return to an amicable course with the Parliament. †

Such determined conduct and disregard of the frowns of Royalty, did not assuage the ill-feeling towards the Fairfax family which had already proceeded to the extent of a resolution to secure the person of Lord Fairfax. This fact is told thus by Sir Thomas Fairfax, in a Manuscript, entitled "A short Memorial of some things to be cleared during my command in the Army;" differing very materially from that which has already

\* Sprigge's *England's Recovery*, 8 ; Rushworth, V. 624 ; *Parl. Hist.* II. 1346.

† *Parl. Hist.* II. 1350. The Cavaliers were exceedingly enraged at this Petition ; and Lord Savile actually attacked Sir J. Bourchier on Heyworth Moor, and forced him to give up a copy of that Petition which he was reading.—*Ibid.* 1353.

appeared in print, and in which printed copy the following extract does not appear :

“Now the Lord is visiting the nation for the transgression of their ways, as formerly He did to one sort of men, so doth He it to another sort, so that all may see their errors, and His justice ; and as we have cause to implore His mercy, having sinned against Him so much, we still vindicate His justice, who is always there when He judgeth.

“Now, therefore, by His grace and assistance, I shall truly set down the grounds that my actions moved upon during that unhappy war, and those actions that seemed to the world most questionable in my steering through the turbulent and perilous seas of that time. The first embarking in the sad calamities of war was about the year 1641, when the general distemper of the three kingdoms had kindled such a flame in the earth ; I mean the difference between the King and Parliament ; as every one sought to quench his own house by the authority of both these ; but the different judgments and ways were so contrary, that before the remedy could be found out, almost all was consumed to ashes.

“I must needs say, my judgment was for the Parliament, as the King and kingdom’s safest council, as others were for the King, and averse to Parliaments, as if it could not go high enough for the prerogative. Upon which division, different parties were set up, viz., the Commission of Array for the King, and the Militia for the Parliament ; but that of the Array so exceeded their commission, by oppressing many honest people, whom by way of reproach they called Roundheads, being for religion, estates, and interest, a very consider-



able part of the country ; that it occasioned them to take up arms in their own defence, which was afterwards confirmed by Parliamentary authority.

“ Now, my father being yet at his own house at Denton, where I then waited on him, though he had notice from his friends that it was resolved that he should be sent for as a prisoner to York, yet he resolved not to stir from his own house, not knowing anything in himself to deserve it ; but the country suffering daily more and more, many were forced to come and entreat him to join with them in defence of themselves and country, which were sorely oppressed by those of the Array, which afterwards had the name of Cavaliers ; and being much importuned by those who were about him, he resolved, seeing his country in this great distress, to run the same hazard with them in the preservation of it.”

In answer to the petition presented to the King by Sir Thomas Fairfax, it was publicly declared that there was no intention of a war on his part. Yet, even two months before the petition was presented, the following Proclamation appeared, and efforts were made for levying money on the surrounding country.

A PROCLAMATION BY HIS EXCELLENCY WILLIAM, EARL OF  
NEWCASTLE, LORD GENERAL OF ALL HIS MAJESTY'S  
FORCES IN THE NORTHERN PARTS OF ENGLAND, FOR  
BRINGING IN OF ARMS.

WHEREAS I am credibly informed that there is much ammunition, and divers and sundry arms of all sorts, respectively ; as corslets, pikes, muskets, carbines, and

pistols, in private men's hands, and not at all made use of, or employed in or about his Majesty's public service, in any part of this army under my command; but rather, contrariwise, (so long as they are in the power and disposing of private men, at their will and pleasure), may either, through the disaffection of the owners thereof, or by force, fear, or other means, be converted, used, misemployed (as many have already been) against his Majesty: And forasmuch as all such arms are, and may be, useful and necessary for his Majesty's army under my command: These are therefore to require and command all his Majesty's subjects, of what sort, quality, and condition soever, in these Northern parts, to render up and bring in all such particular arms and ammunition whatsoever as aforesaid, as they, or any of them, have in their power and custody, or are otherwise possessed of, either to the magazine at York, or that at Tynemouth Castle: To wit, those of the city of York, to render up and bring into the magazine there, all the said arms and ammunition, within twenty-four hours after the publication hereof; and all those of the county of York, and of the town and county of Kingston-upon-Hull, to bring in theirs to the magazine aforesaid, within four days after publication hereof; and all those of the several counties of the Bishopric, Northumberland, and county of Newcastle-upon-Tyne, to bring in theirs to the magazine at Tynemouth Castle, respectively, within four days, as aforesaid.

And I hereby require all manner of persons whatsoever, whom these may any ways concern, to take special notice of these commands, and to perform ready and speedy obedience thereunto, according to the true

intent, meaning, and tenor hereof, upon pain of forfeiture of all their goods, cattle, and chattels whatsoever, and as they and every of them offending to the contrary, will answer the same at their utmost peril. And my will and pleasure is, that all the several officers of the magazines aforesaid, upon the receipt of all arms of any persons whatsoever, shall give under his hand a bill of receipt thereof to the several person or persons so bringing in their arms, according to the true intent hereof, that they and every of them may receive back the said arms, when they can be spared from his Majesty's service, or otherwise receive satisfaction for them.

Provided always, that such as shall have warrant from his Excellency to buy or keep arms or ammunition for his Majesty's service, and for the defence and safety of his house and person, shall not be prejudiced by this Proclamation.

And it is likewise declared, that every officer and soldier, under pain of cashiering and further punishment, who shall take in any skirmish, conflict, or by any other means, any pikes or muskets, pistols or swords, from the enemy, shall, within ten days, bring in the said arms to that magazine next unto him ; and shall, for every musket that is fixed, have five shillings ; for every pistol fixed, five shillings ; for every pike, eighteenpence ; for every sword, twelpence ; and for all other arms proportionably.

Given at York, the first day of April, in the nineteenth year of the reign of our Sovereign Lord Charles, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith.

This Proclamation, even if it had contained no clause of reward for arms taken "from the enemy," left no room for doubt as to the King's determination. It was so accepted by the men of Yorkshire, and in a Manuscript intitled "Northern Intelligence," are these comments upon the movements preliminary to hostilities, as well as some particulars of the first skirmishes :—

"NORTHERN INTELLIGENCE.

"THE King's Majesty having for some certain time retired himself from his Parliament, and given the Houses an assurance how highly he was displeased with them ; from Windsor betakes himself to York, where, notwithstanding after his own protestations, and his peers' attestations that he as yet never intended or had the least thought of warring upon his subjects, he not only solicits and stirs up foreigners by his agents, and provides ammunition by the Queen's means, but imparts his intent to his most active subjects, who all this while are subscribing for a military assistance. Nay, his very nobles, who the last week protested that they saw no preparation for a war, the next week after subscribe for his assistance thereto at York. Thus is Yorkshire become the first stage for this tragedy, where three acts of five are presented in the rule of poetry. But it had been well for us that our exit had been here, and that we had been no more brought upon this stage.

"But the King's presence had too great an influence here, like those malignant planets which brought him hither, and which wrought not on the affections, but



passions of men. Before he departs hence, he will countenance a most illegal and generally a disgusted presentment of a packed grand jury ; who in the name of the whole county, must desire such a government (in his Majesty's absence), as he hath designed ; and in such a manner, as a malignant council hath contrived it, namely, that 8,600*l.* must be speedily collected upon the subjects of this county, for levying of an army, that shall be directed by Glemham, Wayst, and Meim (strangers to us), for the security of this county. A face it had of plausibility too, which was, to oppose all foreigners : and herein my Lord of Cumberland must have a power accordingly, not to his own merit (as it fell out afterwards), but according to the necessity of his Majesty's affairs.

“ Here, his Majesty takes leave of us, and advances into the south.\* This opportunity stirs up certain well-affected gentlemen in this county, to promote the Militia, and the execution thereof ; who had good grounds therefore, as perceiving the Northern subjects did rather show their late obedience than affection to his Majesty, as also for that his Majesty's purposes were now more clearly discerned, for the invading of the liberty and property of the subject.

“ But here begun the first breach : in lieu of opposing of foreigners, a regiment of Northumberland horse is permitted to pass the very length of the county ; who upon intimation given that Sir Edward Rodes did affect the Militia, by commission from his Majesty, fall

\* “ 1642. August 22nd. His Majesty set up his Standard Royal at Nottingham for raising of forces to suppress the rebels, then marching against him.”—*Mercurius Belgicus*.

upon him to take his arms ; and after a short defence, his barn was burnt for so doing : the horror whereof, stirred up divers good subjects, his neighbours, to advance to the quenching of this said fire. But within two days a *Quo Warranto* issues from York (from the council of war there) against them ; to answer which, they are glad to plead the horror for their excuse, whereof as yet they know no acceptance.

“Shortly afterwards, this wise council had the confidence to demand the monies aforesaid, for their great care of preserving this county in peace, according to their articles of presentment. These occasion some diligence in the gentry, who by a discreet compliance presently act the militia at Rotherham and Bradford at once. To countenance which (as he declared at Snaith) came Captain Hotham from Rotherham to Scansbyleys, 23 Sept., with three companies of foot, and one troop of horse from Hull ; and takes possession of Doncaster. In this interim, the commissioners in Sheffield had been suitors to the nursery at Hull for officers, and begun to oppose the King’s passages through their town, and deny the sheriff their arms.

“This arrival of Captain Hotham, as it put resolution and action into the hearts and hands of the well-affected, so it put jealousies and terror into the hearts of the malparty, who bestirred themselves, not so much for his Majesty’s service as for their own security, to enter Pomfret ; which might as easily have been done by the other party, if it had been as convenient ; but they, who came to act, must not lie still in a castle. The delinquents call for assistance from York, and force in the Trained Bands, with threats of plundering, imprison-

ment, and death—for such was Jervase Nevile's proclamation in Wakefield Church ; but they were not yet hardy enough to beat the Militia on Scansbyles : they must therefore beat it at a treaty, in a house on Rodwellhaugh, with six on a side. The six West Riding men for the Militia are circumvented, and must condescend to certain articles as wild in sense as substance, or they were to be finally forced thereto, which yet did not bear the strictness of the law in the breach thereof, as the malparty would seem to expound it. For why should the West Riding men bind the whole county, and why must Captain Hotham go back, without his own consent, or a joint force ? yet these things (say they) are implied. But they not contented herewith must have a fling, how far they may trench upon the articles before they were finished, besides plundering in the time of treaty the ordnance found at Doncaster, which by the articles were to be left there, but the articlars would have them to Pomfret ; and to this purpose was Captain Batt and Lieutenant Horsfall sent the very day that it was in Captain Hotham's election to go back to Hull.

“ Pending this treaty, Captain Hotham marches to Selby, where meeting with the addition of two companies of foot more, with small resistance takes in the Archbishop of York's castle of Cawood, whose brave furniture suffered more impairment through the rude handling of the soldier, than it rendered profit with respect to the true value thereof. And thus were the grey-coats first made known to us, who shortly after gained the character of most exquisite plunderers.

“ The articles aforementioned were by this time

certified to Parliament, when now the former discontented parties were more fully satisfied with a declaration concerning the same, and that by transcending reasons ; namely, for that they rendered the well-affected party of this county inutile to the kingdom, Parliament, and themselves ; if so be, the neutrality should be observed, which by those articles was then condescended unto ; thereupon both Houses did absolve all the subscribers on that side.

“Pomfret was now grown too little to contain the conflux of the compelled soldiers of the Trained Bands. They are, therefore, enlarged to Leeds, with a purpose (as they say) to oppose my Lord Fairfax from executing the Militia there ; whom they knew by this time to be constituted General for the Parliament of the West Riding forces. He being now come to Bradford, they fall upon his quarters, two several days ; and two several out-marches made to the town's end. They are repulsed, at first only with the sight of it ; at the second time, they grow bolder, and relying upon their drakes, where one of them bursting, and a little outroad made upon them, they were forced to retreat with loss. This invited my Lord Fairfax to visit them again in their quarters at Leeds, where Captain Hotham with Sir Christopher Wray and Captain Hatcher met him, so without any resistance, they entered the town, banished the array, and had (if fortunate intelligence had befriended them) routed their baggage.

“Towards York they post with the array, by Wetherby away ; for that Cawood Castle was now too near Tadcaster. There they stay not long neither, but haste to York. The new levied forces, with the assistance afore-



said, march after them ; and now betaking themselves to the several posts, they intercept the Yorkists of fuel, and coop them up within the bounds of the Aynstie. Wetherby possessed on the one side, Tadcaster on the other, and Stanford Briggs by Sir Hugh Cholmeley; they begin to be more afraid than sensible of a distress. Hereupon in November my Lord of Newcastle is solicited by them for their enlargement. To this employment are all the Papists in the kingdom invited ; and not improperly in respect of their interest, but exceedingly in regard of the pretence ; for a man would think it as absurd to defend the Protestant religion with Papists, as Christianity with Jews, or aristocracy with monarchy. But my lord's declaration to this purpose must be credited before his Majesty's protestation ; which is, that he is so far from making use of the Papists, that though they should desire it, yet is he confident that none dare take upon them the impudence to do it ; and for that, if they should do it, yet he hath taken such a course, by tendering the oaths of allegiance and supremacy, as none dare to offer it. This is that which begets the distinction in his Majesty's declarations, betwixt the Protestant religion and the Protestant profession ; for who knows not, but a man may be as easily a friend to the profession, and an enemy to the religion, as to love my gestures, and dislike my tenets, which differs as much as essence from form.

“ It is now more than time to provide against this Northern storm. Sir Christopher Wray, Captain Hotham, and Captain Hatcher, with their three troops of horse, and four companies of foot, advance towards

the Bishopric of Durham,—*venienti occurre morbo*.<sup>\*</sup> At Darnton they have the first advantage, which, by lighting upon a troop of the enemy which resisted little, gave good fleshing to their soldiers. For, besides the routing of it, it struck such a terror through the Bishopric of Durham, that itself could not be confident of its security.

“Here was the Danish Ambassador met with, whose errand might have merited a worse entertainment than a fair dismissal; but his comrade, Colonel Cochrane, escaped not so well; whose interception (to some well known) was not of the least consequence. From Darnton they proceed to Percie Brigg, a place fortified by the Bishopric forces, to make their pass by into Yorkshire. Here they fell upon their works, and not without success neither. Here was the first man of note slain on either side, since this storm begun. Colonel Thomas Howard, with . . . men of his; and not one lost, nor above three wounded, on the other side.

“But this was a hold too tenable to be forced. From hence, our friends take the courage to invite the encountering of my Lord of Newcastle, and press it as a thing feasible. Brave resolutions had need of other judgments; for, had we had forces enough to encounter them, yet had we without any coercion opened the pass to the Yorkists, to have fallen upon our best friends in the western parts of Yorkshire, which yet for the satisfaction of those who desired it, was not altogether declined; but how difficult a thing it would be to regain it, after an encounter of equal hazard, every man may safely judge.

<sup>\*</sup> Meet the coming disease.

“In this interim, the Yorkists issue upon Wetherby, (21st November), the first attempt since they were begirt, and the bravest they ever made; for had it been seconded as it was essayed, their success had been as great as their endeavours; but God would not permit it. Yet who can imagine the six cornets advancing within less than musquet shot before discovery, and sundry horse within the town before resistance, upon a garrison defended with thirty men, (for so, I dare say, no more came in play), with such an advantage as the best intelligence could befriend them, should depart with so bad success! For, besides one Captain and two common soldiers slain, they cannot brag of much they did; yet if they reckon the men spoiled by our own powder as part of their trophy, truly we must allow it them, as *causa sine quâ non*; and this we can afford them for one serjeant-major, one cornet, and thirteen common soldiers; though we cannot overpraise so brave a captain as ours was.\* Thus they retired to York, which was not their first flight neither. I have desired to avoid all ostentation in this relation; for he, Sir Thomas Fairfax, that did the gallantliest on our side doth utterly abhor it; and yet it were a diminution to God’s glory not to have the same in some measure acknowledged.

“All this while my Lord of Newcastle is drawing on towards Yorkshire with his Catholic army, for so, no doubt, he will joy to have them called. Let them be so in my sense. Our spies discover sixty-four colours of horse and foot; the prisoners we take report him to be eight thousand strong. Hereupon Sir Christopher

\* The names of the officers were Serjeant-Major Carr and Cornet Farmer.

Wray and the rest are forced to retreat with their forces, and after some few days take up their quarters in Knaresborough. There the castle was held by one Croft (both the man and it having relation to Sir Richard Hutton); he annoys their repose. The common soldiers, without order, let fly at it with their muskets, and so, exchanging bullets, after twenty-four hours the town is deserted; from thence to Wetherby the retreat is continued.

“By this time (30th November) my Lord of Newcastle conjoins with his friends at York, and now—*serpens serpentem devorans, fit draco*.<sup>\*</sup> It was not now for my lord’s honour, who had so great an army, and so brave resolutions, to doubt of his purpose. He fairly gives it out to pass through Tadcaster the next day, to strengthen which all the forces are called away from Wetherby, Wednesday, 5th December. His lordship could by this time be little less than 7000 strong, ready to fall upon the east side of Tadcaster, besides 1500 which were directed to Wetherby, to have fallen upon the north-west side. The forces in garrison were about 2000 foot, besides six troop of horse, which I cannot reckon at this time for their uselessness. All business within the garrison ordered with singular judgment for this entertainment; every man knew his task, as well what to do as what he was about to do: my Lord General himself, who commanded it, saw it also performed. The salvo begun between ten and eleven in the morning amongst the musqueteers on both sides, upon our strongest platform, (which yet was not fully perfected,) being to the east; shortly after, their culverin played upon certain

\* A serpent devouring a serpent, becomes a dragon.



reserves placed near the church. The red regiment of the enemy came on resolutely, and this became them who were the life-guard and choicest men. Their black, which should have seconded them, were so galled by our drakes, as they durst not approach fairly ; yet, by the help of some houses which they found near the works, they did much annoyance. To beat them out thereof was our greatest labour, and not the least difficulty ; for it could not be effected without tiring of them. By this means they fell soon upon the bridge, (I mean that flank which lay to the south-east) ; the other was open, yet too well guarded with our ordnance upon the bridge and a company of grey-coats. This was the least attempted ; but when they found themselves so strongly opposed to the river, they betake themselves to the High Street, and here was the evening work, but for a flourish, to sever their retreat. Night may be said now to draw them off. For a mile they retreat ; but we, not so satisfied, (whose spirit attended our curiosity,) sent out a troop to discover what was become of our enemy. Half a mile off was sent some parties to recover their dead bodies, who gave fire, but bided not by it. We by this means could get an account of twenty, at the least, slain on the enemy's part ; although some of them would pawn their credits for eight only ; but these were such as fell into our hands afterwards by dint of sword, and not of honesty.

“ But it has been their principal art hitherto to cover their losses with glosses, and, like the sons of Kinton, protest the loss on their adversaries, against the known truth. Nay, they had the confidence, within two days after, to send us a list of nineteen prisoners (if so many),

for twelve were only retained, taken in their beds, to exchange for as many taken in the field. I dare almost pawn my faith, (which is not faction, nor my religion rebellion,) that we had not eight killed outright, whereof one (three days before) had the title of colonel conferred on him, nor thrice so many by them wounded. Whereas, if a cornet of theirs say true, there were seven laden carts of wounded bodies sent the next day into York ; nor could they, nor we, well number the bodies of those who were wounded, and could not be recovered out of the fired houses.

“The next morning (6th December) by two of the clock we struck up our drums to quit the place, which we had very good cause to do. Admitting our store of ammunition would have supplied us, which was all spent, yet the conjoined forces of Wetherby and Tadcaster could neither find receipt nor entertainment there for both ; secondly, our forces not being a fourth part answerable to theirs, now not able to make good all the passes betwixt Tadcaster and our friends at Hull ; thirdly, Wetherby being now possessed by our enemies, with advantage to surround us, it was nowise tenable : Sir Hugh Cholmondeley not yet coming in to our relief.

“Thus our retreat was continued from thence to Cawood, and so to Selby, a necessity of maintaining this river lying upon us. But here we could not let ourselves rest, though our enemies would not disturb us : nothing enfeebles soldiers more than ease. Within a week it was resolved that our enemies must not pass unsaluted. An alarm was as little as we could afford them, which was to be done at Sherburn ; at which time

(Wednesday, 17th December) the town was entered with more facility than could afterwards be credited. For who can believe that so many horse (where 800 lay quartered) could enter a well-guarded barricado as should drive all the horse there out of their quarters, through the town, and more than out at the town's ends, towards Pomfret? Here they that were the forwardest on the enemy's part fared the worst; the rest, no doubt, touched with guilt in so bad a cause, durst not look innocence in the face. Here did our common soldiers, with horse, arms, and prisoners, so furnish themselves, as if they had been at a free mart for choice.

“The success of this business, next to God Almighty, is to be ascribed to Sir Thomas Fairfax, who had the conduct thereof, and brought along with him two great officers, Sir William Liddall, a sergeant-major of horse, and Mr. Wyndham, a commissary-general of the army. Far more prisoners than they did had they brought along, had not the common soldiers been so intent upon pillage. The loss of men on both sides (God still assisting His own cause) still held the like proportion with the former, fifteen for two of ours, which was all the prisoners the enemy had to brag of. Nor could this be said to be done upon the fag end of their army, they still holding a quarter at Tadcaster, being four miles rearward.

“If this work be of men it will come to naught (Acts v.). Natural man is more convinced by example than by reason. Gamaliel (in that place) is forced to make use of his instances. He that will talk with a plain man must use his language; that's his philosophy: he minds not the causes, but the event of things.

“Now be he what he will, and let him judge whether this be of God or man : and who knows but that he hath brought these great forces to be delivered into our hands ? Amen.”

Unwilling to mutilate this manuscript by extracting only a portion, we have printed it entire, though by so doing we have been carried beyond the attempt upon Hull, the issuing the commission of array, and the setting up of the King's standard. To the interesting details of these events and their momentous consequences we shall hereafter direct the attention of the reader : events rendered doubly interesting, just now when the same great contest is enacting throughout the continent of Europe, and the same just line of demarcation is sought for, beyond which neither the prerogative of the monarch nor the liberty of the subject should trespass.



## APPENDIX.

## WILL OF THOMAS, FIRST LORD FAIRFAX.

IN THE NAME OF GOD, AMEN. The Three and Twentieth Day of May, Anno Domini One Thousand Six Hundred Thirty and Five, I, Sir Thomas Fairfax, of Denton, Knight, Baron of Cameron, do hereby revoke all former Wills and Testaments, by me heretofore at any time made, and more particularly that which I did make at my going last beyond the seas : And I do hereby make and declare this my last Will and Testament in these words following : First and principally giving all humble thanks to Almighty God, my Creator, for that he in His mercies in Jesus Christ, my Redeemer, hath given me time and grace to repent me of my sins, and to be confident of the forgiveness of the same, and of my salvation in Jesus Christ ; and amongst other, His manifold benefits for enabling me at this time to dispose of those worldly things wherewith in His divine bounty He hath endowed me : I do commend my soul into the hands of that Infinite Majesty, in the name of the Father, the Son, and the Holy Ghost, One and the same God, whose presence I hope to enjoy in the Kingdom of Heaven. Next, I will that my body be buried in the Parish Church of Otley, near the body of my virtuous wife deceased, whose soul is in Heaven, and her body interred in the said church.

Item, I give to my second son, Henry Fairfax, Parson of Ashton-under-line, in Lancashire, one bond of 40*l.*, wherein he standeth bound unto me for that money : And I do release and forgive the same, I having preferred him sufficiently before, in procuring for him the said Parsonage of Ashton, and giving him the Parsonage of Newton Kime, in the County of York, and in making his wife a jointure of the moiety of Clementhorpe, and giving the same to his eldest son, Thomas, for his life also.

Item : Because I have given to my third son, Charles Fairfax, of

Menston, in preferment of him in marriage, and to Mary, his wife, for their lives, the other moiety of Clementhorpe aforesaid, being now above the value of 50*l.* yearly ; as also, 300*l.* in money ; I now give him no more. But I give to his eldest daughter, Elinor, 100*l.* to be put forth by my son, Sir Ferdinando Fairfax, to the preferment of her, the said Elinor, in marriage, and to be then paid to her, or when she shall accomplish the age of sixteen years ; and if she die before the said time, then to some other of my son Charles's younger children, such as my said son, Sir Ferdinando, and he shall like of.

Item : I give to my daughter, the Lady Constable, 40*l.*, to be bestowed in some remembrance of me.

Item : I give to my grandchild, Thomas Fairfax, (eldest son of my said son, Sir Ferdinando Fairfax,) my best arms, my best horse, my gilt plate, with all my household stuff now at Denton, provided that his father have the use of them during his life.

Item : I give to my grandchildren by my said son, Sir Ferdinando, every of them, 10*l.* a-piece ; and likewise, 10*l.* to my grandchild, Michael Wentworth, to bestow in some jewels to wear for my sake.

Item : I give to my good friend, Mr. Christopher Herbert, of Middleton, my best nag, or 6*l.* in lieu of him, at his choice.

Item : I will and give to be continued to my chaplain, Thomas Clapham, the means which he now hath from me, until he have better preferment. And I desire my said son, Sir Ferdinando, not to be wanting to him for his advancement.

I give to my servant, Richard Lawson, 10*l.* for his service done and to be done, to be paid yearly during his life, so that he be and continue my servant at the time of my death.

Item : I likewise give to my servants, William Hill and John Mawson, to either of them, 6*l.* 13*s.* 4*d.* a-piece, for their several services done and to be done, to be paid yearly during their lives ; and so also that they be and continue my servants respectively at my death.

Item : I give to Walter Brogden the farm which he now hath during his life ; and to John Gaunt, 30*s.* yearly during his life. And I make my said son, Sir Ferdinando Fairfax, my sole executor. In witness whereof I have hereto set my hand and seal, the aforesaid day and year first above written. Sealed and published in the presence of us, William Ramsden, Richard Dighton, Stephen Braithwait, Thomas Brown, Francis Fleming, and Charles Harper.

MEMORANDUM.—That this Twelfth Day of April, 1640, I, Sir Thomas Fairfax, of Denton, Knight, Baron of Cameron, (having formerly made declared and published my last Will and Testament,) do now think fit and will to be added, as a Codicil thereunto, these several legacies ensuing :

That is to say, First, I give further to my servant and house-keeper, Anne Kirk, 40*l*.

Item : Over and besides the legacy already by me given to my servant, William Hill, in my said former will, I do further hereby remit and forgive unto him the several yearly rents he is arrear, and hath hitherto unpaid to me, touching the rectory of Pannal. In the presence of us, (Sir) Ferdinando Fairfax, Thomas Procter, and Richard Lawson.

(Signed) FAIRFAX.

*Voluntatem defuncti perimplere, nil sacratius !*

*Natorum oppugnatione—Quid turpius ?*

END OF SECOND VOLUME.

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